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THE
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EAST INDIA (LEGISLATIVE COUNCILS).

REVISED REGULATIONS, &c.

FOR

GIVING EFFECT TO THE INDIAN COUNCILS ACT, 1909.

(9TH EDWARD VII., CAP. 4.)

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[In continuation of Cd. 4987.]

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TABLE OF CONTENTS.

PAGE

Letter from the Government of India to the Secretary of State for India, No. 3 (Home) dated 23rd January, 1913 ... 1

Memorandum showing the changes made in 1912 in the Regulations relating to the Legislative Councils in India, together with the reasons upon which they were based ... 5

Regulations for the nomination and election of additional members of the Legislative Council of :—

FORT ST. GEORGE ... 17

Rules for the election of an additional member or members by :—

Corporation of Madras (*Schedule I.*) ... 21

University of Madras (*Schedule II.*) ... 27

Non-Official Members of Municipal Councils and District and Tuluk Boards and certain other electors (*Schedule III.*) ... 33

Zamindars (*Schedule IV.*) ... 41

Landholders other than Zamindars (*Schedule V.*) ... 50

Muhammadan Community (*Schedule VI.*) ... 60

Madras Chamber of Commerce and the Madras Trades Association (*Schedule VII.*) 71

Planting Community (*Schedule VIII.*) ... 72

BOMBAY ... 73

Rules for the election of an additional member or members by :—

Municipal Corporation of the City of Bombay (*Schedule I.*) ... 75

University of Bombay (*Schedule II.*) ... 76

Sardars of the Deccan (*Schedule III.*) ... 79

„ Gujarat (*Schedule IV.*) ... 84

Jagirdars and Zamindars of Sind (*Schedule V.*) ... 89

Municipalities and District Local Boards (*Schedule VI.*) ... 96

Muhammadan Community (*Schedule VII.*) ... 103

Indian Commercial Community (*Schedule VIII.*) ... 111

Bombay Chamber of Commerce and the Karachi Chamber of Commerce respectively (*Schedule IX.*) ... 116

Millowners' Association of Bombay and the Millowners' Association of Ahmedabad (*Schedule X.*) ... 116

UNITED PROVINCES OF AGRA AND OUDH ... 117

Rules for the election of an additional member or members by :—

University of Allahabad (*Schedule I.*) ... 121

Municipal Boards in the United Provinces of Agra and Oudh (*Schedule II.*) ... 127

District and Municipal Boards of the United Provinces of Agra and Oudh (*Schedule III.*) ... 133

Landholders in the United Provinces of Agra and Oudh (*Schedule IV.*) ... 142

Muhammadan Community in the United Provinces of Agra and Oudh (*Schedule V.*) ... 152

Upper India Chamber of Commerce (*Schedule VI.*) ... 162

PUNJAB ... 163

Rules for the election of an additional member or members by :—

University of the Punjab (*Schedule I.*) ... 166

Municipal and Cantonment Committees (*Schedule II.*) ... 171

District Boards (*Schedule III.*) ... 181

Punjab Chamber of Commerce (*Schedule IV.*) ... 189

BURMA ... 191

BENGAL (FORT WILLIAM IN) ... 195

Rules for the election of an additional member or members by :—

Corporation of Calcutta (*Schedule I.*) ... 199

University of Calcutta (*Schedule II.*) ... 201

Municipal Commissioners (*Schedule III.*) ... 207

District Boards and Local Boards (*Schedule IV.*) ... 216

Landholders (*Schedule V.*) ... 224

Muhammadan Community (*Schedule VI.*) ... 234

Bengal Chamber of Commerce (*Schedule VII.*) ... 244

Calcutta Trades Association (*Schedule VIII.*) ... 246

Commissioners of the Port of Chittagong (*Schedule IX.*) ... 249

Certain Commissioners of the Corporation of Calcutta (*Schedule X.*) ... 250

Tea-Planting Community (*Schedule XI.*) ... 252

BIHAR AND ORISSA ... 261

Rules for the election of an additional member or members by :—

Municipal Commissioners (*Schedule I.*) ... 265

District Boards (*Schedule II.*) ... 274

Landholders (*Schedule III.*) ... 282

Muhammadan Community (*Schedule IV.*) ... 292

Mining Community (*Schedule V.*) ... 302

Planting Community (*Schedule VI.*) ... 303

ASSAM ... 305

Rules for the election of an additional member or members by :—

Municipal Commissioners (*Schedule I.*) ... 309

Local Boards (*Schedule II.*) ... 314

Landholders (*Schedule III.*) ... 318

Muhammadan Community (*Schedule IV.*) ... 326

Tea-Planting Community (*Schedule V.*) ... 336

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	PAGE
Regulations for the nomination and election of additional members of the Legislative Council of—*continued* :—	
GOVERNOR-GENERAL	337
Rules for the election of an additional member or members by :—	
Fort St. George *and* Bombay *and* United Provinces of Agra and Oudh, Non-official Members of Legislative Councils of (*Schedule I.*)	342
Fort William in Bengal, Non-official additional Members of Council of (*Schedule II.*)	347
Bihar and Orissa, Non-official additional Members of Council of (*Schedule III.*)	353
Punjab *and* Burma, *and of* the Chief Commissioner of Assam, Non-official Members of Legislative Councils of (*Schedule IV.*)	359
Central Provinces, District Councils and Municipal Committees in (*Schedule V.*)	363
Landholders in Presidency of Fort St. George (*Schedule VI.*)	371
„ „ Presidency of Bombay (*Schedule VII.*)	382
„ „ Presidency of Bengal (*Schedule VIII.*)	383
„ „ United Provinces of Agra and Oudh (*Schedule IX.*)	392
„ „ Bihar and Orissa (*Schedule X.*)	402
„ „ Central Provinces (*Schedule XI.*)	412
Muhammadan Community in the Presidency of Fort St. George (*Schedule XII.*)...	423
„ „ the Presidency of Bombay (*Schedule XIII.*) ...	434
„ „ the Presidency of Bengal (*Schedule XIV.*)... ...	435
„ „ the United Provinces of Agra and Oudh (*Schedule XV.*)	446
„ „ Bihar and Orissa (*Schedule XVI.*)	456
Bengal Chamber of Commerce (*Schedule XVII.*)	466
Bombay Chamber of Commerce (*Schedule XVIII.*)	468
Proclamation extending to the territories administered by the Chief Commissioner of ASSAM the provisions of the Indian Councils Acts, 1861 to 1909, relating to certain matters ...	469
Proclamation constituting the territories administered by the Chief Commissioner of ASSAM a province for certain purposes	469
Rules for the discussion of the Annual Financial Statement in the Legislative Council of :—	
Fort St. George...	471
Bombay	485
United Provinces of Agra and Oudh	499
Punjab	513
Burma	527
Bengal	541
Bihar and Orissa	555
Assam	569
Governor-General	583
Rules for the discussion of matters of general public interest in the Legislative Council of :—	
Fort St. George...	479
Bombay	493
United Provinces of Agra and Oudh	507
Punjab	521
Burma	535
Bengal	549
Bihar and Orissa	563
Assam	577
Governor-General	589
Rules for the asking of Questions in the Legislative Council of :—	
Fort St. George...	483
Bombay	497
United Provinces of Agra and Oudh	511
Punjab	525
Burma	539
Bengal	553
Bihar and Orissa	567
Assam	581
Governor-General	593
Table showing the constitution of the Legislative Councils	595

No. 3 OF 1913.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

ROYAL ASIATIC SOCIETY LIBRARY OF THE BOMBAY BRANCH

To

THE MOST HONOURABLE THE MARQUIS OF CREWE, K.G.,

His Majesty's Secretary of State for India.

Delhi, the 23rd January 1913.

MY LORD MARQUIS,

In accordance with the provisions of Section 7 of the Indian Councils Act, 1909, we have the honour to submit for Your Lordship's information, and for presentation to Parliament, copies of the revised Regulations for the constitution of the Legislative Councils of the Governors of Madras and Bombay, and of the Lieutenant Governors of the United Provinces, the Punjab and Burma, which have recently received the approval of the Secretary of State in Council under Section 6 of the same Act. In consequence of the redistribution of territories and of the appointment of a Governor in Council to the Presidency of Fort William in Bengal, which His Imperial Majesty was graciously pleased to announce at His Durbar held at Delhi in December 1911, Your Lordship has also approved the constitution of Legislative Councils for the Governor of Bengal, the Lieutenant Governor of Bihar and Orissa and the Chief Commissioner of Assam. Of the Regulations relating to these three Councils, which have likewise received the approval of the Secretary of State in Council, we also append copies, together with copies of the Proclamations issued by us on the 14th November 1912, with His Majesty's approval, extending to the territories administered by the Chief Commissioner of Assam the provisions of the Indian Councils Acts, 1861 to 1909. Finally we enclose copies of the revised Regulations for the constitution of the Legislative Council of the Governor General, which have similarly been approved by the Secretary of State in Council.

2 In addition to these papers, we annex copies of the rules in force in the Legislative Councils of all Provinces, relating to the discussion of the annual Financial Statement, and of matters of general public interest, and to the asking of questions. These rules have been framed, with the sanction of the Governor General in Council, under Section 5 of the Indian Councils Act, 1909, and in accordance with the provisions of Section 7 thereof, require to be presented to both Houses of Parliament. The corresponding rules in force in the Council of the Governor General framed in 1909 have already been presented to Parliament, and no change has since been made in them, although a copy of these rules also is enclosed.

3. The circumstances which gave rise to a revision of the Council Regulations sanctioned in 1909 were as follows. In the first place, the administrative changes which have resulted from His Imperial Majesty's announcement at the Delhi Durbar have necessitated the re-arrangement of the electorates framed under the Regulations of 1909 for the return of representatives to the Governor General's Council by the old provinces of Bengal and Eastern Bengal and Assam, and the provision of adequate representation on that Council for the Bengal Presidency as reconstituted, together with the provinces of Bihar and Orissa and Assam, while for similar reasons it has been requisite to frame entirely new Regulations constituting Councils for the Lieutenant Governor of Bihar and Orissa and the Chief Commissioner of Assam. The consequential modification

of the Regulations governing the Council of the Lieutenant Governor of Bengal practically resulted in the formation of a new Council for the Governor of that province. In the second place, the experience which has been gained in the practical working of the Regulations of 1909 has been sufficient to disclose certain points in which they are susceptible of improvement. To this cause are to be attributed the modifications which have been sanctioned in the Regulations concerning those Provinces which were unaffected by His Majesty's announcement at Delhi, and, to some extent, the form which has been adopted in drafting the Regulations for the Governor General's Council and the Councils of the three new provinces.

4. With the object of ascertaining the sufficiency or otherwise of the Regulations of 1909, we invited all local Governments to furnish us with a report on their practical working shortly after the first elections were held, together with any suggestions for improvement and amendment which they might have to offer, and the revision which has now been effected is the result of the recommendations which we thought fit to make to Your Lordship after full consideration of the materials thus placed at our disposal. In formulating our proposals we have kept in view, as a guiding principle, the fact that since the Councils have so far stood the test of only one general election, it would be premature and impolitic, at this stage of their development, to embark upon any material changes in the broad principles upon which their constitution is based. The amendments made have been confined, therefore, so far as possible, to matters of detail, and consist to a large extent of an attempt to simplify and render more convenient the electoral procedure. At the same time in Madras, the United Provinces and the Punjab the opportunity has been taken to effect some changes in the distribution of seats, in the province first mentioned with a view to the more equitable representation of the landholders and local bodies, in the second mainly in consequence of a re-arrangement of divisional charges, and in the third with the object of increasing the number of members chosen by election, and on the analogy of the systems in force elsewhere, of giving representation to District Boards.

5. We apprehend that Your Lordship may find it convenient, in presenting the revised Regulations to Parliament, to be in possession of a self-contained summary of the changes effected by this revision, together with an explanation of their scope and purpose. With this object, we have caused to be prepared, and append to this despatch, a memorandum which explains the matter in detail.

We have the honour to be,

MY LORD MARQUIS,

Your Lordship's most obedient, humble servants,

HARDINGE OF PENSHURST.

O'MOORE CREAGH.

G. FLEETWOOD WILSON.

R. W. CARLYLE.

HARCOURT BUTLER.

S. A. IMAM.

W. H. CLARK.

R. H. CRADDOCK.

LIST OF ENCLOSURES.

1. Memorandum in explanation of the revised Council Regulations.

2. Revised Regulations and Schedules for the nomination and election of additional members of the Legislative Council of the—

(1) Governor of Madras.

(2) Governor of Bombay.

(3) Lieutenant Governor of the United Provinces.

(4) Lieutenant Governor of the Punjab.

(5) Lieutenant Governor of Burma (Regulations only).

(6) Governor of Bengal.

(7) Lieutenant Governor of Bihar and Orissa.

(8) Chief Commissioner of Assam.

(9) Governor General of India.

3. Proclamations issued on the 14th November 1912 extending the Indian Councils Acts to Assam.

4. Rules (i) for the discussion of the Annual Financial Statement,

(ii) for the discussion of matters of general public interest, and

(iii) for the asking of questions in the Legislative Council of the—

(1) Governor of Madras.

(2) Governor of Bombay.

(3) Lieutenant Governor of the United Provinces.

(4) Lieutenant Governor of the Punjab.

(5) Lieutenant Governor of Burma.

(6) Governor of Bengal.

(7) Lieutenant Governor of Bihar and Orissa.

(8) Chief Commissioner of Assam.

(9) Governor General of India.

No.

1913.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

NO. 3, DATED DELHI, THE 23rd JANUARY 1913.

(Copy.)

LETTER TO HIS MAJESTY'S SECRETARY OF STATE FOR INDIA.

SUBJECT.

'Forwards for presentation to Parliament copies of Regulations and Schedules *re* the nomination and election of Additional Members of the Imperial and of the Provincial Legislative Councils.

866HD—1525—23-1-13—GCBP Simla

Enclosure no. 1.

MEMORANDUM.

Showing the changes made in 1912 in the Regulations relating to the Legislative Councils in India, together with the reasons upon which they are based.

The general reasons which have led to the revision of the Regulations framed in 1909 under the Indian Councils Act of that year are explained in the despatch which accompanies this memorandum. For the purpose of exhibiting in detail the changes made, the subject may conveniently be divided into three heads:—

I. Changes made in the constitution of the Councils themselves, such as alterations in the number of elected or nominated seats, or the redistribution of seats between electorates.

II. Changes made in the qualifications of voters and candidates.

III. Changes made in electoral procedure.

IV. Other changes, which cannot be classified under any of the three foregoing categories.

I. Changes made in the constitution of the Councils.—This heading falls naturally into three sections:—

(*a*) The creation of new Councils in consequence of the administrative changes announced by His Imperial Majesty at the Delhi Durbar, and the constitution of the Councils thus necessitated.

(*b*) The addition or alteration of the grouping of seats on existing Councils unaffected by the recent territorial redistribution.

(*c*) The rearrangement of representation on the Imperial Legislative Council due to changes in the Provincial Councils.

(*a*) The formation of the Presidency of Bengal under a Governor in Council, of the Province of Bihar and Orissa under a Lieutenant Governor in Council, and of the Province of Assam under a Chief Commissioner, out of the areas previously constituting the provinces of Bengal and Eastern Bengal and Assam, has resulted in the abolition of the Legislative Councils of the Lieutenant Governors of Bengal and Eastern Bengal and Assam and the creation of new Councils for the three new Provinces. In framing the Regulations for these three new Councils, the object aimed at has been, on the one hand, to preserve intact, so far as possible, the character of the electorates which existed in Bengal and Eastern Bengal and Assam under the Regulations of 1909, and to avoid the disfranchisement of any interest or individuals represented on the old Councils, and, on the other hand, to afford recognition to the further claims to representation which the territorial redistribution has given to certain interests and communities.

The Bengal Council.—The interests which were represented on the Councils of the Lieutenant Governors of Bengal and Eastern Bengal and Assam were the following:—

	No. of seats on the previous Council in—	
	Bengal	Eastern Bengal and Assam.
The Indian Commercial Community ...	1	1
The Corporation of Calcutta ...	1	...
The University of Calcutta	1	...
The Bengal Chamber of Commerce ...	2	...
The Calcutta Trades Association ...	1	...
The Tea Planting Community, Eastern Bengal and Assam. ...		2
The Planting Community, Bengal ...	1	...
The Chittagong Port Trust ...	...	1
The Jute interest	...	1

These interests had 12 seats on the old Councils, as compared with 9 under the new Regulations. The Indian commercial community (as elsewhere) will have one nominated representative only, while the redistribution of territories having resulted in the separation from Bengal of the important planting areas in Assam and Bihar, the representation of that community in Bengal will be reduced to one member only, to be chosen by an electorate consisting of the managers of tea gardens. The seat representing the Jute interest which was previously filled by election by the Narayanganj Chamber of Commerce, will be replaced by a nominated seat to be allotted to the European commercial community outside Calcutta and Chittagong, this wider field of selection being considered more appropriate to the circumstances of the new province.

In addition to the foregoing, the following electorates existed in the two Provinces :—

(*i*) The Municipalities of each Division.

(*ii*) The District Boards of each Division.

(*iii*) The Muhammadan Community of each Division.

(*iv*) The Landholders of each Division.

To each divisional electorate one member has been allotted, but, on account of the relatively greater importance of Municipal interests in the Presidency and Burdwan Divisions, it has been arranged that the Municipalities of these Divisions shall return an additional member alternately at every election, and that on account of the relatively small importance of the Municipal and Landholding interests in the Chittagong Division the Municipalities and Landholders of that Division shall each elect a member alternately and not concurrently. The total number of members thus returned at each election is twenty.

In addition to the 27 elected seats specified above another seat has been reserved for the town of Calcutta, in recognition of the fact that the special qualifications required of the members representing the Corporation and University respectively, may lead to the exclusion of suitable candidates, who by reason of the size and importance of the town are naturally to be found in larger numbers than in less advanced areas. In consonance with the general scheme upon which the regulations are framed the electors to this seat will be the non-official members of the Calcutta Corporation other than those nominated by Government, but the qualification for candidates will be merely residence in Calcutta, thus affording a chance to any citizen of outstanding eminence to secure his return.

The total number of elected seats is thus 28, as compared with 26 on the old Council, with a consequential reduction in the number of nominated seats from 22 to 20. At the same time the maximum number of officials who may be nominated has been fixed at 16 instead of 17. As already mentioned two of the nominated seats are earmarked for the European commercial community outside Calcutta and Chittagong and the Indian commercial community respectively, thus leaving two non-official nominated seats unappropriated, selection for which rests with the discretion of the Governor.

In addition to these 48 elected and nominated seats, provision has been made, as on the old Council, for the nomination of two expert members, whether officials or non-officials, to assist in the conduct of proposed or pending Legislation.

The Bihar and Orissa Council.—The interests and communities situated in the area now embraced by this province which enjoyed representation on the old

Bengal Council were the following :—

(*i*) The Municipalities.

(*ii*) The District Boards.

(*iii*) The Landholders.

(*iv*) The Muhammadan Community.

* (*v*) The Planting Community.

The Regulations for the new Council provide one seat for each division to be filled by each of the three first named, or 15 seats in all. For the Muhammadan Community they provide 1 seat for each of the Patna, Tirhut and Bhagalpur Divisions, and a fourth seat to be filled by joint election by voters residing in the Orissa and Chota Nagpur Divisions, where the community is relatively less numerous and influential. In the new province the indigo interest will be of relatively more importance than in the old, and one seat has been assigned to it, while the mining interest has now attained a size which is held to entitle it also to similar representation. Both seats will be filled by election, thus bringing the total number of elected seats to 21.

The number of nominated members has been fixed at 19 of whom not more than 15 may be officials, and the selection for the 4 nominated seats open to non-officials has been left to the discretion of the Lieutenant Governor with a view to the admission of the claims of other interests which may not secure representation through the channel of election. In addition the Lieutenant Governor is given power to nominate one expert member, either an official or non-official, to assist the progress of particular legislative measures.

The Assam Council.—The interests situated in the area now included in this province, which enjoyed representation on the Council of the Lieutenant Governor of Eastern Bengal and Assam, were the following :—

(*i*) The Municipalities.

(*ii*) The Local Boards.

(*iii*) The Landholders.

(*iv*) The Muhammadan Community.

(*v*) The Tea Planting Community.

Each of the first four of these interests has been provided with two seats on the new Council—one for each Division, and three seats have been assigned to the tea-planting community—thus making a total of 11 elected seats.

Thirteen nominated seats have been allowed, of which not more than 9 are to be filled by officials, the selection for the 4 nominated seats for non-officials being made at the discretion of the Chief Commissioner, who is also empowered to nominate, in addition to the 13 officials and non-officials mentioned, one expert member, either official or non-official, to assist in the progress of legislative measures.

(*b*) The changes effected by the Regulations in the constitution of existing Provincial Councils are enumerated below :—

Madras.—The number of elected seats has been increased from 19 to 21, a corresponding reduction, from 23 to 21, being made at the same time in the number of the nominated seats. The electoral groups into which the districts of the Presidency were divided by the Regulations of 1909 have also been redistributed.

---

* This nominated seat on the old Bengal Council was intended to be filled from the Tea Planting Community in Darjeeling and the Indigo Planting Community in Bihar. It had been allotted on the occasion of the first election to the former, but the latter had a reversionary interest in it.

Under Regulation II of the Regulations of 1909 for the constitution of the Madras Council, landholders other than zamindars elected two representatives, for which purpose the districts of the Presidency were divided into a Northern and Southern group. It was found, however, that the number of voters in the Southern group was more than double that in the Northern group, and that nearly half of them (155) lived in one district (Tanjore), while of the remaining 169, 110 were inhabitants of the two districts on the West Coast. As there are no zamindars, properly so called, on the West Coast, which contains a large number of landholders and *malikandars* possessed of electoral qualifications, and as the language, tenures and interests of the West Coast proprietors are so distinct that no East Coast proprietor can reasonably claim to represent their interests, it has been decided to constitute the two West Coast districts of Malabar and South Canara into a separate electorate to which an additional seat has been allotted.

The same considerations apply to the mixed electorate recruited from Municipal Councils and District and Taluk Boards, which under the Regulations of 1909 comprised 8 groups of districts. In this electorate also a special West Coast constituency has been created consisting of the two districts named, while the groups generally have been rearranged on a linguistic basis, in the manner shown in the Schedule appertaining to this electorate.

Territorial changes, consisting of the alterations of district boundaries within the Presidency effected subsequent to the promulgation of the Regulations of 1909 have also been responsible for some minor modifications.

The United Provinces.—Since 1909, a new Division, with headquarters at Jhansi, has been formed in the United Provinces. Under the Regulations of that year certain specified District and Municipal Boards in 8 existing Divisions (exclusive of the hill Division of Kumaon) returned a member to the Provincial Council, and since the District and Municipal Boards of the newly created Jhansi Division are considered to be of sufficient importance to entitle them to separate representation, the number of members returned by this electorate has been increased from 8 to 9, thus raising the total number of elected members from 20 to 21. As the full Council previously consisted of 46 members only, or 4 less than the permissible maximum, it has not been necessary to make any reduction in the number (26) of nominated seats. The total number of seats on this Council is therefore now 47 instead of 46.

The creation of this new division has also necessitated a regrouping of the electoral areas constituting the electorates for the return of four representatives of the Muhammadan Community. The reconstruction of the groups, as shown in Schedule V, is framed upon a basis of population.

The Punjab.—When the Regulations were framed in 1909 it was considered advisable to proceed on cautious lines in the matter of elective representation in this Province, owing to its comparative backwardness. Consequently the Punjab Council, excluding that of Burma, is the only one which has not hitherto contained a District Board electorate, and since it is now considered that such an electorate can now be constituted with advantage, three seats have been assigned to it, a corresponding reduction being made in the number of nominated seats.

For similar reasons the enfranchisement of municipalities and cantonment committees was confined to those—11 in number—as to whose competency to exercise the privilege there was at the time no doubt, but it has now been decided to enlarge the electorate in the light of the experience since gained, and 21 municipalities have therefore been added to the existing number on the roll. The municipality and district board of Delhi, which now fall within a separate province, will not participate in consequence in the elections to the Punjab Council.

(c) Changes in the constitution of the Governor General's Legislative Council.

The constitution of the Council under the Regulations of 1909 was as follows:—

Ex-officio members (namely, His Excellency the President, the ordinary members of the Governor General's Council, and the Lieutenant Governor of the Province in which the Council is sitting).	9
Official nominated members (of whom 8 represented the various provinces*).	28
Non-official nominated members (of whom 3 must represent, respectively, the landholders of the Punjab, the Muhammadans of the Punjab, and Indian commerce).	7
Elected members (non-officials)	25
Total ...	69

The Regulations further provided that at the second, fourth and succeeding alternate electing, 2 additional members should be elected, one by the Muhammadan landholders of Eastern Bengal and Assam, and the other by the same class in the United Provinces. On these occasions the number of nominated members would have been 33 instead of 35.

The creation of 3 new provinces in place of two of those previously represented—Bengal and Eastern Bengal and Assam—and the constitution of a separate Legislative Council in each, has rendered it necessary to find room in the Imperial Council, which was already at the maximum strength allowed by statute, for one additional nominated official seat and for one elective seat to be filled by selection by the non-official members of the additional Provincial Legislative Council now created. The first of these two seats will be found from the existing number of nominated official seats without increasing their total, but the addition of an elected seat on the second account necessitates a corresponding reduction in the number of non-official nominated seats. In view, however, of the importance of the Muhammadan community in Bengal as now constituted and of the privilege which the landholders of this community in the United Provinces enjoyed under the old Regulations of returning a second member at alternate elections, it has been decided to make a further reduction of one in the number of nominated non-official seats, and to add to the elective seats one to be filled at alternate elections, by the Muhammadans of Bengal and the Muhammadan landholders of the United Provinces respectively. The number of elected seats is now therefore 27, and that of nominated non-official seats 5, three of which remain assigned to particular interests.

With these exceptions the constitution of the Council remains unchanged save that the two seats previously filled by the landholder and Muhammadan electorates respectively in Eastern Bengal and Assam are now transferred to similar electorates in Bihar and Orissa. These interests in Assam were not considered to be of sufficient importance to merit separate representation on the Imperial Council, nor would it have been possible to grant this privilege without either disfranchising existing electorates or dispensing with an official majority.

---

* Madras	1
Bombay	1
Bengal	1
United Provinces	1
Punjab	1
Eastern Bengal and Assam	1
Burma	1
Central Provinces	1

As the result of these changes the constitution of the Governor General's Council is now as follows:—

Ex-officio Members...			9
Official nominated members (of whom 9 represent the various provinces*).			28
Nominated non-official members			5
Elected Members :—			
(*i*) By the Provincial Legislative Councils	12		
(*ii*) By the landholders of Madras, Bombay, Bengal, United Provinces, Bihar and Orissa and Central Provinces.	6		
(*iii*) By the Muhammadans of Madras, Bombay, Bengal, United Provinces and Bihar and Orissa.	5		
(*iv*) By the Muhammadans of Bengal, and the Muhammadan landholders of the United Provinces at alternate elections.	1		
(*v*) By the Calcutta and Bombay Chambers of Commerce ...	2		
(*vi*) By Municipalities and District Councils on the Central Provinces.	1		27
Total ...			69

II.—Changes made in the qualifications of voters and candidates.

(*a*) *The following changes have been made applicable to all Councils*:—

(*i*) Government officers have been expressly disqualified from standing for election. In certain of the schedules provision already existed to this effect, but it has been thought desirable to remove all possibility of doubt by a definite prohibition everywhere.

(*ii*) It has been found necessary to insert some clear definition of the term "firm" which occurs amongst the definition of qualified voters in the Muhammadan electorates. The definition adopted is "an association of two or more individuals trading jointly, and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force."

(*iii*) In certain electorates the payment of income-tax constitutes a qualification. In order to prevent the technical qualification of a person, who is not properly so qualified, by a colourable payment of an income tax shortly before the election commences, the relevant schedules have been amended so as to provide that the payment of the prescribed amount must have been actually made during the financial year preceding that in which the election is to be held.

(*iv*) In the schedules framed in 1909 there was no provision to ensure that a nominated candidate had been nominated with his consent. This defect has now been remedied, and it has further been provided that a nominated candidate shall be at liberty to withdraw from his candidature if he gives due notice to the proper authorities fourteen clear days before the recording of votes. A candidate who has thus once withdrawn will not however be at liberty to cancel his withdrawal and to stand again for the same election.

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* Madras	1
Bombay	1
Bengal	1
United Provinces	1
Punjab	1
Burma	1
Bihar and Orissa	1
Central Provinces	1
Assam	1

(*v*) In the general disqualification clauses which appear in Regulations IV and VI of all Councils provision has been made for the declaration of lunatics by Magistrates, which the Lunacy Act of 1911 allows, by omitting the word Civil which occurs in the phrase " competent Civil Court."

(*b*) In addition to the foregoing amendments, which are of universal application, *the following changes under this head have been made in the schedules relating to the individual Councils mentioned below.*

Madras.

(*i*) In the electorates consisting of the Municipal Councils and the District and Taluk Boards (Schedule III) the franchise and the right to stand for election were confined, under the Regulations of 1909, to persons who at the time of election were actually members of those bodies. The schedule has now been amended so as to extend the franchise and the candidature qualification in this electorate to all persons who have been members of the bodies in question for an aggregate period of not less than three years during the decade preceding a date to be fixed by the local Government in preparation for the election. The change is in accordance with the system which was in vogue under the Regulations of 1909 in the electorates of the Municipalities and District Boards in Bombay and Bengal, of the major Municipalities of the United Provinces and of the Municipalities in the Punjab and Eastern Bengal and Assam, but it necessitates, as a corollary, provision for the periodical revision of the electoral roll which has been effected by the amendment of rules 3 and 6 of the schedule in question. A similar procedure for the periodical revision of the roll has also been adopted, in the interests of uniformity, in the case of the electorates of (*a*) zamindars, landholders other than zamindars, and Muhammadans for the Madras Provincial Council, and (*b*) of landholders and Muhammadans for the Imperial Council.

(*ii*) The franchise and the right to stand for election in this same mixed electorate has further been extended so as to include, as qualified voters and candidates, persons holding titles conferred by Government above the rank of " Rao Sahib," but who are not otherwise qualified to vote in this or other electorates. The amendment is justified on the ground that it is *primâ facie* expedient to enhance the respect in which honorific titles are held, while there are many retired public servants who would make desirable accessions to the Provincial Legislative Council, but who do not possess the qualifications to vote and are therefore ineligible to stand as candidates for any of the larger constituencies.

(*iii*) The income from land fixed as the property qualifications for electors in the electorate consisting of landholders other than zamindars has been reduced from Rs. 3,000 to Rs. 1,000 on the ground that the original limit was unduly high, and operated to restrict undesirably the number of electors.

(*iv*) The definition of " estate " which occurred in certain of the schedules framed in 1909 for elections to the Madras Provincial Council and for the election of representatives of that Presidency to the Governor General's Council, was found in practice to be defective, and not in accord with the facts of land revenue administration. The term has therefore been defined in such a way as to make it correspond with the provisions of the Madras Estates Land Act, 1908. For similar reasons the reference in the same schedules to " tenants and kanomdars " under " raiyotwari holders " as qualified voters has been omitted, because no public record is maintained of the income of such persons from land. The changes under this head have been incorporated in the Imperial schedule also.

(*v*) Rule 7 (*2*) of schedule VI as framed in 1909 has been eliminated, because it was inconsistent with rule 16 of the same schedule and with the corresponding rules in schedule X relating to the Imperial Council.

(*vi*) No limit has hitherto been fixed on the amount of pension which should be regarded as the minimum pensionary qualification of Muhammadan voters, and the absence of any limitation resulted in rendering eligible to vote persons drawing petty pensions and engaged in menial occupations. This anomaly has been removed by fixing a pension of Rs. 15 a month as the minimum amount which qualifies. A similar change has been made in the schedule relative to the election to the Imperial Council of a representative of the Muhammadan community in Madras.

(*vii*) Under the schedules framed in 1909 joint landholders who are not zamindars enjoyed the privilege of nominating a representative to vote for them, while landholders who are zamindars did not. This anomaly has been removed by extending the concession to both classes.

Bombay.

(*i*) The property qualification for Muhammadan electors residing in the city of Bombay, under rule 3 (*a*) of schedule VII, as framed in 1909, was the possession of land assessed at, or of the assessable value of, Rs. 200. It was found that this provision resulted in the disqualification of certain large landholders, while small leaseholders were qualified, the reason being that the Government land assessment in Bombay city is generally a nominal quit rent and only certain areas are leased on rents fixed in proportion to their value. To obviate this difficulty the municipal assessment has been adopted as the criterion.

(*ii*) Rule 3 (*b*) of this schedule has been necessitated by the ambiguity of the original rule 3 (*a*) which was silent on the subject of sharers of an estate, the share of each of whom was of the value laid down as the minimum property qualification.

(*iii*) The provision made by the rules framed in 1909 as regards the practical connexion with the electoral area required of a candidate standing for election by District Board and Municipalities and Muhammadan electorates was found to be insufficient, and schedules VI and VII have been so amended as to necessitate the possession by all candidates not merely of a place of residence in the Division, but also "such practical connexion (with it) as qualifies him to represent it."

Bengal, Bihar and Orissa and Assam.

By changes made in the qualifications of voters and candidates for election to these new Councils are meant departures from the qualifications laid down by the Regulations of 1909 for the Councils of Bengal or of Eastern Bengal and Assam, as the case may be. Save for the exceptions specified below the qualifications laid down for these two Councils have been maintained intact for the Council of the provinces which now cover the corresponding areas. The only exceptions are mentioned below :—

Bengal.

(*i*) In the landholders electorate, the system of aggregating payments of land revenue or cesses in different divisions in order to qualify for a vote, has been extended to the Eastern Bengal districts, in which it did not previously prevail.

(*ii*) In the same electorate the property qualification which obtained under the old Bengal Regulations in the case of the Western Divisions

of the new Presidency was the payment of land revenue amounting to Rs. 7,500 or cesses amounting to Rs. 1,875. In order to minimise the discrepancy between these rates and those obtaining in the Eastern Districts under the Eastern Bengal and Assam Council regulations, the qualification has been reduced to Rs. 6,000 and Rs. 1,500 respectively.

(*iii*) The franchise in the District Board electorate has been extended so as to embrace the non-official members of the local Boards in each District. It is anticipated that this measure, besides broadening the basis of representation, will encourage the growth of interest in these smaller bodies.

(*iv*) In Eastern Bengal and Assam a candidate for election by a Municipal or District Board constituency was required to have, as a qualification, such practical connexion with the Division in question as qualified him to represent it. This condition had no place in the old Bengal regulations, but has now been applied throughout the Bengal Presidency.

(*v*) The scope of the Muhammadan franchise has been extended by including within it the following classes, in addition to those qualified under the Regulations of 1909. (*a*) Barristers, attorneys, vakils and pleaders, (*b*) medical men with certain qualifications, and (*c*) engineers with certain qualifications.

(*vi*) The qualification in the landholders electorate in favour of persons holding the title of Raja or Nawab or titles of higher rank, has been withdrawn, with a reservation of the rights of those already so qualified. A similar change has been made in the corresponding electorate to the Imperial Council.

Bihar and Orissa.

(*i*) In addition to the class of persons enfranchised under the old Bengal Regulations in the Muhammadan electorate, the following classes have been added :—(*a*) Government servants drawing salaries of, or exceeding, Rs. 2,000 a year ; (*b*) persons in receipt of pensions as retired gazetted or commissioned officers of Government.

(*ii*) The qualification in the landholders electorate in favour of persons holding the title of Raja or Nawab or titles of higher rank, has been withdrawn, with a reservation of the rights of those already so qualified. A similar change has been made in the corresponding electorate to the Imperial Council.

Assam.

(*i*) The restriction which was imposed by the Eastern Bengal and Assam regulations, confining the franchise to Municipalities with a local income of Rs. 5,000 or more has been withdrawn, and every municipality in the province now has at least one vote.

(*ii*) Under the Eastern Bengal and Assam regulations, the only Assam landholders who were qualified as such were landholders residing in the Surma Valley Division or in the district of Goalpara, who paid land revenue of not less than Rs. 500 or cesses amounting to not less than Rs. 125, or persons holding titles not lower in rank than Raja or Nawab. These qualifications have been retained, but the franchise has been extended to landholders residing in the other districts of the Assam Valley Division besides Goalpara.

(*iii*) Under the Eastern Bengal and Assam regulations, the property qualification in the Muhammadans electorate of Assam was, in the Assam Valley Division, payment of land revenue or cesses of not less than Rs. 50, and in the Surma Valley Division, payment of land revenue of not less than Rs. 100 or cesses of not less than Rs. 50. Further, Muhammadan *jotedars* in the district of

Goalpara, who paid rent amounting to not less than Rs. 250, were also qualified. These qualifications have been maintained unaltered, except that the land revenue payment has been reduced in the Surma Valley Division to Rs. 50. It has further been provided, in modification of the rules in force in Eastern Bengal and Assam, that a Muhammadan *Mutawali* is not a landholder in his own right for the purpose of the land qualification.

The Governor General's Council.

Four changes have been made in the qualifications of voters and candidates for this Council, which follow consequentially on corresponding changes made in the qualifications for the Madras, Bengal and Bihar and Orissa provincial electorates. These have been specified above, but in addition the following departures from the qualifications laid down in the schedule relating to the election of representatives of the provinces of Eastern Bengal and Assam and Bengal, as previously constituted, have been effected, with the object of assimilating so far as possible the conditions which are to obtain in the Eastern and Western portions of the newly constituted Bengal Presidency.

The property qualification for the electorate consisting of landholders in Bengal has been reduced. Under the Regulations of 1909 it consisted in the possession of land on which either land revenue of not less than Rs. 20,000 or cesses of not less than Rs. 5,000 was paid. These amounts have been reduced to Rs. 10,000 and Rs. 2,500, respectively, and similar amounts have been fixed as the property qualification for the landholder electorate for the Imperial Council in Bihar and Orissa.

Provision has been made, in accordance with the system in force in the corresponding electorate in the United Provinces, for the registration on the landholders' electoral roll of the names of managers of Hindu joint families, of firms and of companies which possess the necessary property qualification.

III.—*Changes made in electoral procedure.*

(*a*) Three changes have been made relating to electoral procedure in the rules of all Councils. These are as follows :—

(*i*) Returning Officers have been empowered to decide the validity under the rules of any nomination or vote, and their decision will be final, save as provided for by Regulations VIII and XVI.

The rules of 1909 in this respect were proved to be deficient, and practical anomalies occurred in consequence ; for instance, it was held that under the rules, as they stood, the Returning Officer had no power to reject a vote tendered by a person not entitled to vote, so long as the would-be voter had complied with the instructions on the voting papers.

(*ii*) A procedure has been prescribed, in accordance with the English practice, for assisting blind and illiterate voters to record their votes.

(*iii*) Provision has been made that, in the case of plurality of voting or nomination papers, only the first paper received by the Attesting Officer, or the Returning Officer, as the case may be, shall be valid, and that if it is impossible to determine which was received first, then both or all shall be invalid. The absence of any provision in the rules of 1909 to meet this contingency gave rise to practical inconvenience.

(*b*) In addition to the above, the following changes have been made in the electoral procedure relating to the individual Councils named :—

Bombay.

(*i*) Amendments have been made in the schedules relating to elections by Municipalities and District Boards with the object of enabling the Vice-Presidents, as well as the Presidents, of those bodies to

perform certain electoral functions, namely (*a*) to perform the duties of Attesting Officer, and (*b*) to supply voting papers to delegates.

(*ii*) Rule 5 (2) of Schedule V has been amended so as to enable the Returning Officer to send nomination papers to electors through the *mukhtiarkhar* of the *taluka*, instead of by registered post.

(*iii*) Schedule VII, Rule 7 (4), has been amended so as to provide that the Collector of Bombay shall attest nomination papers for the Muhammadan electorate of Bombay City, separate Attesting Officers being dispensed with.

(*iv*) Rule 4 of this schedule has been amended so as to permit the electoral roll being posted at the office of the Collector of Bombay instead of at the Chief Presidency Magistrate's office.

(*v*) An amendment of a similar nature has been made in rule 3 of Schedule V so as to permit of the electoral roll of the Sind Jagirdars being posted at the *taluka* head-quarters, as well as the district head-quarters.

These five amendments are based upon considerations of administrative convenience.

(*vi*) In accordance with the wishes of the Bombay Government the voting papers of all electorates in that Presidency will henceforth be printed in counterfoil.

Bengal, Bihar and Orissa and Assam.

(*i*) In accordance with the wishes of these Governments the procedure for electing candidates through the agency of delegates, which obtained in Bengal in the case of the local bodies' and the Muhammadans' electorates, and in Eastern Bengal and Assam in the case of the Muhammadans' electorate, has been abandoned, as practical experience proved it to be unsatisfactory. Selection will now be made by means of direct voting.

(*ii*) Under the rules of 1909 Municipalities in Bengal and Eastern Bengal and Assam which had more than one vote were at liberty to distribute their votes as they pleased. They are now required to assign their votes to one candidate only, or to two candidates where two members are to be elected.

Governor General's Council.

The only change made in the electoral procedure relating to the Imperial Council is a slight alteration of detail in the method to be followed by the non-official members of the Bengal and Bihar and Orissa Provincial Council in selecting their representatives for the Imperial Council. The change has been introduced at the instance of the two local Governments concerned, and is expected to work more conveniently than the old system.

IV.—*Other changes which cannot be classed under any of the three foregoing categories.*

(*i*) Regulation XIII in the case of all Councils has been amended since it was held to be doubtful whether in the shape in which it was enacted in 1909 it was *intra vires* of the Indian Councils Act, 1909, since Section 1 (2) of that Act, in pursuance of which this Regulation was framed, only authorises regulations prescribing the number of additional members necessary to form a quorum. Moreover, the Regulation, in the form in which it was enacted in 1909, appears to have over-ridden Section 15 of the Indian Councils

Act of 1861, since it took no account of the provision made therein for the senior Ordinary Member of Council presiding in the absence of the President, and of the Vice-President appointed under Section 4 of the Indian Councils Act, 1909.

(*ii*) A clause has been inserted in Regulation I relating to all Provincial Councils, except those of Madras, Bombay and Bengal, to make it clear that the sanction of the Governor General is required to the nomination of expert no less than of ordinary members of the Council.

(*iii*) Throughout the schedules (Imperial and Provincial) relating to the Madras Presidency, the words " Fort St. George Gazette" (the official title of the Madras Government Gazette) have been substituted for the words "Local official gazette" in order to avoid possible confusion with the district gazettes which are published in the Madras Presidency.

(*iv*) The form of Regulation X, which specifies the term of office of an elected or nominated member, was found to preclude the election of a candidate to a seat on the Councils before the seat was actually vacant. It would have been inconvenient to postpone the completion of all elections until the outgoing member has actually completed his term of office, and to avoid this necessity, the Regulation has been recast.

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Enclosure no. 2 (1).

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT ST. GEORGE.

(*Published in Notification No. 15 of the Government of India in the Legislative Department, dated 15th November, 1909, as amended by Notification No. 47 of the Government of India in the Legislative Department, dated 17th September, 1912*).

Number of Members.

I. (1) The Additional Members of the Legislative Council of the Governor of Fort St. George, other than the Advocate-General or other officer acting in that capacity, shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be twenty-one in number;

B.—Members nominated by the Governor who shall not exceed twenty-one in number, and of whom—

(*a*) not more than sixteen may be officials, and

(*b*) one shall be a non-official person to be selected from the Indian commercial community.

(2) In addition to the forty-two Additional Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Additional Members of the Council:

Provided that it shall not be lawful for the Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The twenty-one elected Members specified in Regulation I shall be elected as follows, namely:—

(*i*)	By the Corporation of Madras	1 Member.
(*ii*)	By the University of Madras	1 Member.
(*iii*)	By the non-official Members of Municipal Councils and District and Taluk Boards and certain other electors.	9 Members.
(*iv*)	By the Zamindars	2 Members.
(*v*)	By the Landholders other than Zamindars ...	3 Members.
(*vi*)	By the Muhammadan community	2 Members.
(*vii*)	By the Madras Chamber of Commerce	1 Member.
(*viii*)	By the Madras Trades Association	1 Member.
(*ix*)	By the Planting community	1 Member.

Electorates and electoral procedures. Ineligible candidates.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

IV. No person shall be eligible for election as a Member of the Council, if such person—

(*a*) is not a British subject, or

(*b*) is an official, or

(*c*) is a female, or

(*d*) has been adjudged by a competent Court to be of unsound mind, or

(*e*) is under twenty-five years of age, or

(*f*) is an uncertificated bankrupt or an undischarged insolvent, or

(*g*) has been dismissed from the Government service, or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*k*) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest :

Provided that in cases (*g*), (*h*), (*i*) and (*k*) the disqualification may be removed by an order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person who is elected or nominated under these Regulations to be a Member of Council shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A.B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Governor of Fort St. George, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

(*a*) not being eligible for election is elected under these Regulations, or

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable, the Governor shall, by notification in the *Fort St. George* Gazette declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of Madras in the Legislative Department, within seven days from the date of the publication of the result of such elections in the *Fort St. George* Gazette choose or in his default the Governor hall declare for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and, the candidate if any who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as otherwise provided in these Regulations, the term of office of an Additional Member shall be three years commencing from,

(*a*) in the case of a nominated member, the date of the publication in the *Fort St. George* Gazette of the notification by which he is nominated,

(*b*) in the case of an elected member, the date of the publication in the *Fort St. George* Gazette of the result of the election, or where the result of such election has been published before the vacancy has occurred, from the date on which such vacancy occurs:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may, at the time of nomination, determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations and of transacting other business vested in the Legislative Council of the Governor of *Fort St. George* shall be exercised only when ten or more Additional Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A " promise of individual profit " includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to the validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the *Fort St. George* Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision by the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such electorate fails to elect, the Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such electorate.

SCHEDULE I.

[*See Regulation II, sub-head (i) and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE CORPORATION OF MADRAS.

Preliminary.

1. " Returning Officer " means the President of the Corporation of Madras and includes any Commissioner of the Corporation deputed for the time being by the President to perform his duties under these rules.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (i), shall be elected by the votes of the Commissioners of the said Corporation (hereinafter referred to as electors) whose appointments have been notified in the local official Gazette prior to the date on which they record their votes.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector:

Provided that a nomination paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4-A (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend and the Returning Officer shall allow them to examine

the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper bearing the name of the elector and signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by any elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer:

Provided that if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 10 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the *Fort St. George* Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 5;

(*c*) the sending of voting papers under rule 6;

(*d*) the recording of votes under rule 7; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Corporation of Madras. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting papers shall be invalid if the mark × is placed opposite the name of more than one candidate or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer on the day of 19 , between the hours of and at the office of

Name of elector—

I hereby declare that I am a Commissioner of the Corporation of Madras.

(Signed).....

(*Fold on this line.*)

SCHEDULE II.

[*See Regulation II, sub-head (ii) and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE UNIVERSITY OF MADRAS.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Madras, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of the Members of the Senate and Honorary Fellows of the University of Madras having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the date and time appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4-A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to the Returning Officer:

Provided that if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 10 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall fold the lower portion of every paper, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legistative Department, and the name of the candidate elected shall be published in the *Fort St. George* Gazette.

Appointment of dates, times and places.

14 The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ;

(*d*) the recording of votes under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

[*See rule 3.*]

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6 Signature of seconder.

Returning Officer.

Instructions.

Nominat'on papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

[*See rule 6.*]

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Members of the Senate and Honorary Fellows of the University of Madras. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the

Name of elector—

I hereby declare that I am a Member of the Senate (or Honorary Fellow) of the University of Madras.

(Signed)

(*Fold on this line*)

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE NON-OFFICIAL MEMBERS OF MUNICIPAL COUNCILS AND DISTRICT AND TALUK BOARDS AND CERTAIN OTHER ELECTORS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the Fort St. George Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Electoral area" means a group of districts constituted under rule 2.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the Fort St. George Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the nine Members specified in Regulation II, sub-head (iii), one shall be elected for each of the following groups of districts :—

(1) Ganjám and Vizagapatam.

(2) Gódávari, Kistna and Guntúr.

(3) Nellore, Cuddapah and Chittoor.

(4) Kurnool, Bellary and Anantapur.

(5) Chingleput, North Arcot and South Arcot.

(6) Salem, Coimbatore and the Nilgiris.

(7) South Canara and Malabar (including Anjengo and Tangasseri).

(8) Tanjore and Trichinopoly.

(9) Madura, Ramnad and Tinnevelly.

Qualifications of Electors.

3. (1) The election shall be made by all persons not disqualified to vote under these Regulations who—

(*a*) on the 30th June preceding the publication of the roll, were non-official Members of a Municipal Council or a District or Taluk Board within the electoral area concerned, or

(*b*) have been non-official Members of a Municipal Council or a District or Taluk Board within the electoral area concerned for an aggregate period of not less than three years during the decade expiring on the said date, or

(*c*) are not qualified to vote at an election held under any other Schedule annexed to these Regulations and are holders of any title conferred or recognised by the Government (higher in rank than the title of Rao Sahib) or are Members of the Order of the Star of India or of the Order of the Indian Empire, or are holders of the Kaiser-i-Hind medal.

In computing the aggregate period referred to in sub-clause (*b*) distinct periods of service on the same or different local bodies in an electoral area may be combined :

Provided that if during any period a person is a member of more than one local body in an electoral area the said period shall be reckoned only once in computing the said aggregate period.

(2) No elector shall have more than one vote in any electoral area though he may possess more than one of the qualifications above described

and he shall be entitled to vote only in the district under which his name is entered in the revised electoral roll, and if his name is entered therein under more districts than one in such one of those districts as he may elect by intimation in writing given to the Returning Officer not later than the 10th of October, or failing such election, in the district to be fixed in that behalf by the Returning Officer before the final publication of the roll.

Electoral roll.

4. (1) In the month of July in each year the Returning Officer shall prepare and publish in the *Fort St. George* Gazette and in the official gazette of each district concerned a draft electoral roll for each electoral area in Form I annexed to this Schedule, together with a notice stating that any objections relating to entries in or omissions from the said electoral roll may be preferred on or before the 31st of August to the Collector of the district concerned.

(2) Such Collector shall fix a place and a date not later than the 30th of September for hearing objections to the electoral roll and shall give notice of the place and date so fixed to all parties concerned in such manner as the Local Government may prescribe.

(3) The Collector may before the date fixed by him under sub-rule (2) of his own motion revise the electoral roll so far as it relates to his district ; any alteration in the roll made on such revision shall be published previous to the date fixed under sub-rule (2) in such manner as the Local Government may prescribe.

(4) The Collector shall at the place and on the date fixed under sub-rule (2) hear and decide objections to the electoral roll as also to any revision of the roll made by him on his own motion.

(5) On the 1st of October, the Collector shall send a copy of the electoral roll as revised to the Returning Officer.

(6) The Returning Officer shall publish the final electoral roll in the *Fort St. George* Gazette and in the official gazettes of the districts concerned on or before the 31st of October, and such electoral roll shall come into force on the 1st of November and continue in force until the publication of the next final electoral roll.

(7) The Local Government may from time to time by notification in the *Fort St. George* Gazette and official gazettes of the districts concerned alter the dates specified in this rule.

5. The electoral roll in force at the date of the notification issued by the Governor under these Regulations calling upon the electorate to elect a Member under these rules shall be conclusive evidence for the purpose of determining whether any person is or is not qualified to vote at such election.

Qualifications and nomination of candidates.

6 (1) Any person not ineligible for election under these Regulations and qualified to vote at the election may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the form and without delay despatched by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7-A (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes : or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify any such withdrawal in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If in any electoral area one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district in which he is entitled to vote, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

11. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, dispatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested

Counting of votes and declaration of result.

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Attesting officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse " rejected " with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and save as provided in rule 13 (4) or in Regulation XVI such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department and the name of the candidate elected shall be published in the *Fort St. George* Gazette.

Appointment of dates, times and places.

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 6;
(*b*) the scrutiny of nomination papers under rule 8;
(*c*) the attestation of voting papers under rule 10; and
(*d*) the counting of votes under rule 13.

FORM I.

(See rule 4.)

Electoral Roll of Members of Municipal Councils and District and Taluk Boards and certain other electors for Group of Districts.

Serial number on General roll.	*Serial number on District roll.*	*Name of elector.*	*Name of elector's father, karnavan or ejman.*	*Address.*	*Qualifications.*	*Serial number in previous general electoral roll.*
1	2	3	4	5	6	7

FORM II.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Name of father, karnavan or ejman.

3. Age.

4. Address.

5. Place of residence :—

6. Number borne by the candidate on the general electoral roll.

7. District under which the name of the candidate is entered in the general electoral roll.

8. Signature of proposer.

9. Signature of seconder.

Signed in my presence on the of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the general electoral roll of persons qualified to vote for the——Group of Districts for the election of an Additional Member of the Legislative Council of the Governor of *Fort St. George* by non-official members of the Municipal Councils and District and Taluk Boards and certain other electors in the electoral area.

STATION.

DISTRICT.

Attesting Officer.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of and between the hours of and at the office of .

FORM III.

(*See rule 10.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the non-official members of Municipal Councils and District and Taluk Boards and certain other electors in the electoral area comprising the districts of

The following ( ) candidates have been duly nominated :—

Serial number.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing or causing to be placed the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am

the same person whose name appears as No. on the general electoral roll of non-official Members of Municipal Councils and District and Taluk Boards and certain other electors for the Districts of for the election of an Additional Member to the Legislative Council of the Governor of *Fort St. George*.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

[*See rule 11.*]

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY.

The following is a list of all the electors whose voting papers have been attested by me:—

Serial Number.	Name of elector.	Vote.

Attesting Officer.

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE ZAMINDARS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the *Fort St. George* Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Electoral area" means a group of districts constituted under rule 2.

(4) "Estate" means:—

(*a*) any permanently settled estate or temporarily settled Zamindari or any portion of such estate or Zamindari, provided that such portion is separately registered in the office of the Collector;

(*b*) any unsettled palaiyam or jagir; or

(*c*) any village the land revenue of which alone has been granted in *inam* to a person not owning the kudivaram thereof, if such grant has been made, confirmed or recognised by the British Government, or any separated part of such village;

(*d*) any portion consisting of one or more villages of any of the estates specified in clauses (*a*) and (*b*) which is held on a permanent under-tenure.

(5) "Returning Officer" means such officer as the Local Government may, by notification in the *Fort St. George* Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(6) "Zamindar" means the holder of an estate and includes a person in recepit of a malikana allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (iv), one shall be elected for each of the following groups of districts, namely:—

Group (1)—Ganjam, Vizagapatam, Godavari, Kistna, Guntur, Nellore, North Arcot, Chittoor, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2)—Madras, Chingleput, Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura, Ramnad and Tinnevelly.

Qualifications of electors.

3. The election shall be made by all zamindars qualified to vote and having a place of residence within the electoral area concerned, who—

(*a*) possess an annual income, calculated as provided in rules 4, 5 and 6, of not less than three thousand rupees derived from an estate situated within the Presidency of Fort St. George, or

(*b*) receive from Government a malikana allowance the annual amount of which is not less than three thousand rupees.

4. For the purposes of rule 3, the annual income of a zamindar from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

5. (1) If, in any case, it is not possible to calculate income from land in accordance with rule 4, the Collector shall determine such income for the purposes of these rules upon the best information available.

(2) In all cases, the income shall be calculated on the figures of the latest fasli year for which figures are available, or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of zamindars for the purposes of rule 3—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a malikana allowance; and

(*b*) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account.

7. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) During the month of July in each year the Returning Officer shall prepare and publish in the *Fort St. George* Gazette and in the official gazette of each district concerned a draft electoral roll for each electoral area in Form 1 annexed to this Schedule, together with a notice stating that any objections relating to entries in or omissions from the electoral roll may be preferred on or before the 31st of August to the Collector of the district concerned.

(2) Such Collector shall fix a place and a date not later than the 30th of September for hearing objections to the electoral roll, and shall give notice of the place and date so fixed to all parties concerned in such manner as the Local Government may prescribe.

(3) The Collector may before the date fixed by him under sub-rule (2) of his own motion revise the electoral roll so far as it relates to his district; any alteration in the roll made on such revision shall be published previous to the date fixed under sub-rule (2) in such manner as the Local Government may prescribe.

(4) The Collector shall at the place and on the date fixed under sub-rule (2) hear and decide objections to the electoral roll as also to any revision of the roll made by him on his own motion.

(5) On the 1st of October, the Collector shall send a copy of the electoral roll as revised to the Returning Officer.

(6) The Returning Officer shall publish the final electoral roll in the *Fort St. George* Gazette and in the official gazettes of the districts concerned on or before the 31st of October, and such electoral roll shall come into force on the 1st of November and continue in force until the publication of the next final electoral roll.

(7) The Local Government may from time to time by notification in the *Fort St. George* Gazette and the official gazettes of the districts concerned alter the dates specified in this rule.

10. (1) Where an estate is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of an estate, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and if such nomination is not made, no entry shall be made in the roll in respect of such estate.

11. The electoral roll in force at the date of the notification issued by the Governor under these Regulations calling upon the electorate to elect a member under these rules shall be conclusive evidence for the purpose of determining whether any person is or is not qualified to vote at such election.

12. No person claiming to vote on account of the possession of income derived from an estate for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the estate from which the income is derived stands registered in such register in his name.

Qualifications and nomination of candidates.

13. (1) Any person not ineligible for election under these Regulations who is qualified to vote at the election may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annnexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the form and without delay despatched by registered post to the Returning Officer.

14. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

14-A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

15. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

16. (1) If in any electoral area one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

17. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

18. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

19. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and save as provided in rule 20 (4) or in Regulation XVI such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

20. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 19 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

21. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

22. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

23. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the *Fort St. George* Gazette.

Appointment of dates, times and places.

24. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the attestation of nomination papers under rule 13;
(*b*) the scrutiny of nomination papers under rule 15;
(*c*) the attestation of voting papers under rule 17; and
(*d*) the counting of votes under rule 20.

FORM I.

(*See rule 9.*)

ELECTORAL ROLL OF ZAMINDARS FOR :

Serial number on general roll.	Serial number on district roll.	Name of elector.	Name of elector's father, karnavan or ejman.	Address.	Qualifications.	Whether representing a joint family or joint holders of an estate.	Serial number in previous general electoral roll.
1	2	3	4	5	6	7	8

FORM II.

(*See rule 13.*)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the of 19 by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Zamindars for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

STATION.

DISTRICT. *Attesting Officer.*

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of , and between the hours of and , at the office of

FORM III.

(*See rule 17.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Zamindars in the electoral area No.
The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and , on the day of 19 .

I hereby declare that I am the same person whose name appears as [for the] No. on the electoral roll of Zamindars for election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

C.N.,
Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X.Y.,
Attesting Officer.

FORM IV.

(See Rule 18.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[*See Regulation II, sub-head (v) and Regulation III.*)

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE LANDHOLDERS OTHER THAN ZAMINDARS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the *Fort St. George* Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Electoral area" means a group of districts constituted under rule 2.

(4) "Estate" means—

(*a*) any permanently settled estate or temporarily settled Zamindari or any portion of such estate or Zamindari provided that such portion is separately registered in the office of the Collector ; or

(*b*) any unsettled palaiyam or jagir ; or

(*c*) any village, the land revenue of which alone has been granted in *inam* to a person not owning the kudivaram thereof, if such grant has been made, confirmed or recognised by the British Government, or any separated part of such village; or

(*d*) any portion consisting of one or more villages of any of the estates specified in clauses (*a*) and (*b*) which is held on a permament under-tenure.

(5) "Returning Officer" means such officer as the Local Government may, by notification in the *Fort St. George* Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(6) "Zamindar" means the holder of an estate and includes a person in receipt of a malikana allowance from Government.

2. Of the three Members specified in Regulation II, sub-head (v), one shall be elected for each of the following groups of districts :—

Group (1). Ganjam, Vizagapatam, Godavari, Kistna, Guntur, Nellore, North Arcot, Chittoor, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2). Madras, Chirgleput, Salem, Coimbatore, the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura, Ramnad and Tinnevelly.

Group (3). Malabar (including Anjengo and Tangasseri) and South Canara.

Qualifications of electors.

3. The election shall be made by all landholders other than zamindars qualified to vote and having a place of residence within the electoral area concerned who possess an annual income, calculated as provided in rules 4 and 5, of not less than one thousand rupees derived from land situated within the Presidency of Fort St. George and not forming an estate.

4. (1) For the purposes of rule 3 the annual income of landholders other than zamindars shall be calculated as follows :—

(*a*) the income of ryotwari holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated ;

(*b*) the income of ryotwari holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased ;

(*c*) the income of holders of ináms shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act 1884, excluding the peshkásh jodi, quit-rent or similar charge payable to Government ;

(*d*) the income of tenants of zamindars and inamdars shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884 ;

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (*d*) there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of similar description and with similar advantages in the village or in neighbouring villages ;

(*e*) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule :

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

5. In calculating the annual income of landholders for the purposes of rule 3—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate ;

(*b*) subject to the provisions of clause (*a*) incomes derived from more than one parcel of land, however held, may be reckoned together : provided that, in the case of land referred to in rule 11, sub-rule (2) and rule 12, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land.

6. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

Electoral Roll.

7 (1) During the month of July in each year the Returning Officer shall prepare and publish in the *Fort St. George* Gazette and in the official gazette of each district concerned a draft electoral roll for each electoral area in Form I annexed to this Schedule, together with a notice stating that any objection relating to entries in or omissions from the electoral roll may be preferred on or before the 31st of August to the Collector of the district concerned.

(2) Such Collector shall fix a place and a date not later than the 30th of September for hearing objections to the electoral roll and shall give notice of the place and date so fixed to all persons concerned in such manner as the Local Government may prescribe.

(3) The Collector may before the date fixed by him under sub-rule (2) of his own motion revise the electoral roll so far as it relates to his district ; any alteration in the roll made on such revision shall be published previous to the date fixed under sub-rule (2) in such manner as the Local Government may prescribe.

(4) The Collector shall at the place and on the date fixed under sub-rule (2) hear and decide objections to the electoral roll as also to any revision of the roll made by him on his own motion.

(5) On the 1st of October, the Collector shall send a copy of the electoral roll as revised to the Returning Officer.

(6) The Returning Officer shall publish the final electoral roll in the *Fort St. George* Gazette and in the official gazettes of the districts concerned on or before the 31st of October, and such electoral roll shall come into force on the 1st of November and continue in force until the publication of the next final electoral roll.

(7) The Local Government may from time to time by notification in the *Fort St. George* Gazette and the official gazettes of the districts concerned alter the dates specified in this rule.

(8) The electoral roll in force at the date of the notification issued by the Governor under these Regulations calling upon the electorate to elect a member under these rules shall be conclusive evidence for the purpose of determining whether any person is or is not qualified to vote at such election.

9. A person who is nominated, or entitled, under rule 11, sub-rule (2) or rule 12, to represent a group of joint owners, or a joint family, and who is himself possessed of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

10. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

11. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

12. Where the property of a tarwád or similar joint family under the Marumakkatáyam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes ; and, if senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

13. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualification in his own personal right and not in a fiduciary capacity.

Qualifications and nomination of candidates.

14. (1) Any person not ineligible for election under these Regulations *and qualified to vote at the election* may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and if the Attesting officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting officer in the manner prescribed on the face of the form and without delay despatched by registered post to the Returning Officer.

15. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

16 (1). A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

17. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the

Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

18. (1) If in any electoral area one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

19. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall than place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

20. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of the voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

21. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is

invalid under these rules and, save as provided in rule 22 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether vaild or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

22. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 21 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

23. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

24. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of results.

25. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the Fort St. George Gazette.

Appointment of dates, times and places.

26. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:

(*a*) the attestation of nomination papers under rule 14;

(*b*) the scrutiny of nomination papers under rule 17;

(*c*) the attestation of voting papers under rule 19; and

(*d*) the counting of votes under rule 22.

866HD

FORM I.

(*See rule 7.*)

ELECTORAL ROLL OF LANDHOLDERS OTHER THAN ZAMINDARS FOR .

Serial number on general roll.	Serial number on district roll.	Name of elector.	Name of elector's father, kárnavan or ejmán.	Address.	Qualifications.	Whether representing a joint family or joint landowners.	Serial number in previous general electoral roll.
1	2	3	4	5	6	7	8

FORM II.

(*See rule 14.*)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father, Karnavan or Ejman.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as voters Nos. and on the electoral roll of landholders other than zamindars for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

STATION.

DISTRICT. *Attesting Officer.*

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of and between the hours of and , at the office of

FORM III.

(See rule 19.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the landholders other than zamindars in the electoral area No. . The following [ ] candidates have been duly nominated:—

Serial number.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of landholders other than zamindars for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See Rule 20.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY .

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VI.

[*See Regulation II, sub-head (vi) and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF FORT ST. GEORGE.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the *Fort St. George* Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Electoral area" means a group of districts constituted under rule 2.

(4) "Estate" means—

(*a*) any permanently settled estate or temporarily settled Zamindari or any portion of such estate or Zamindari provided that such portion is separately registered in the office of the Collector; or

(*b*) any unsettled palaiyam or jagir; or

(*c*) any village the land revenue of which alone has been granted in *inam* to a person not owning the kudivaram thereof, if such grant has been made, confirmed or recognized by the British Government, or any separated part of such village; or

(*d*) any portion consisting of one or more villages of any of the estates specified in clauses (*a*) and (*b*) which is held on a permanent under-tenure.

(5) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(6) "Returning Officer" means such officer as the Local Government may, by notification in the *Fort St. George* Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(7) "Zamindar" means the holder of an estate and includes a person in receipt of a malikana allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (vi), one shall be elected by the qualified electors in such of the following groups of districts:—

Group (1) Ganjam, Vazigapatam, Godavari, Kistna, Guntur, Nellore, Madras, Chingleput, North Arcot, Chittoor, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2) Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura, Ramnad and Tinnevelly.

Qualifications of electors.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence within the electoral area concerned, who—

(1) are landholders possessing an annual income from land situated within the Presidency of Fort St. George of not less than five hundred rupees; or

(2) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than two thousand rupees; or

(3) are ordinary or Honorary Fellows or registered graduates of the University of Madras, or

(4) are holders of any title conferred or recognized by the Government or Members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind medal: or

(5) are in receipt of pensions of rupees fifteen per mensem and upwards for service as gazetted or commissioned officers of Government

4. For the purposes of rule 3 the annual income of a zamindar from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

5. (1) For the purposes of rule 3 the annual income of landholders other than zamindars shall be calculated as follows:—

(*a*) the income of ryotwari holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated;

(*b*) the income of ryotwari holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased;

(*c*) the income of holders of inams shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash, jodi, quit-rent or similar charge payable to Government;

(*d*) the income of tenants of zamindars and inamdars shall be taken to be equal to two thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884;

provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in sub clause (*d*) there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of a similar description and with similar advantages in the village or in neighbouring villages; and

(*e*) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If in any case, a separate water-rate or second crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule:

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 4.

(2) If, in any case, it is not possible to calculate income from land in accordance with rule 4 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases under this rule and rule 4, the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of all landholders for the purposes of rule 3—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a malikana allowance;

(*b*) subject to the provisions of clause (*a*) incomes derived from more than one parcel of land, however held, may be reckoned together: provided that, in case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land;

(*c*) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account, nor shall

income derived from land be reckoned with income derived from any other source.

7. No person shall be entitled to vote except in the district in which he resides and he shall not be entered in the electoral roll under any other district.

8. No person shall give more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) During the month of July in each year the Returning Officer shall prepare and publish in the *Fort St. George* Gazette and in the official gazette of each district concerned a draft electoral roll for each electoral area in Form I annexed to this Schedule, together with a notice stating that any objection relating to entries in or omission from the electoral roll may be preferred on or before the 31st of August to the Collector of the district concerned.

(2) Such Collector shall fix a place and a date not later than the 30th of September for hearing objections to the electoral roll, and shall give notice of the place and date so fixed to all persons concerned in such manner as the Local Government may prescribe.

(3) The Collector may before the date fixed by him under sub-rule (2) of his own motion revise the electoral roll so far as it relates to his district; any alteration in the roll made on such revision shall be published previous to the date fixed under sub-rule (2) in such manner as the Local Government may prescribe.

(4) The Collector shall at the place and on the date fixed under sub-rule (2) hear and decide objections to the electoral roll as also to any revision of the roll made by him on his own motion.

(5) On the 1st of October, the Collector shall send a copy of the electoral roll as revised to the Returning Officer.

(6) The Returning Officer shall publish the final electoral roll in the *Fort St. George* Gazette and in the official gazettes of the districts concerned on or before the 31st of October, and such electoral roll shall come into force on the 1st of November and continue in force until the publication of the next final electoral roll.

(7) The Local Government may from time to time by notification in the *Fort St. George* Gazette and the official gazettes of the districts concerned alter the dates specified in this rule.

10. The electoral roll in force at the date of the notification issued by the Governor under these Regulations, calling upon the electorate to elect a member under these rules shall be conclusive evidence for the purpose of determining whether any person is or is not qualified to vote at such election.

11. A person who is nominated, or entitled, under rule 13, sub-rule (2), rule 14, 15 or 16, to represent a group of joint owners, a joint family, or a firm, and who is himself possessed of a personal qualification or of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

14. Where the property of a tarwad or similar joint family under the Marumakkatayam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Where a joint family is assessed as such to pay income-tax, a majority of the adult male members of the family may nominate in writing any one of themselves who is qualified to vote as their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of the payment of income-tax.

16. Where a firm, composed solely of Muhammadan members, pays income-tax on the prescribed minimum income, a majority of the adult male members of the firm may nominate in writing one of themselves who is qualified to vote on behalf of the firm, and his name only shall be entered in the electoral roll under the district in which he resides and if such nomination is not made, no entry shall be made in the electoral roll in respect of the firm.

17. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualifications in his own personal right and not in a fiduciary capacity.

Qualifications and nomination of candidates.

18. (1) Any person not ineligible for election under these Regulations and qualified to vote at the election may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be duly attested by the Attesting Officer in the manner prescribed on the face of the form and without delay despatched by registered post to the Returning Officer.

19. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

20. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

21. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

22. (1) If in any electoral area one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

23. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

24. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

25. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 26 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

26. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 25 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

27. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

28. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for the period of six months, and thereafer cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

29. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the names of the candidates elected shall be published in the Fort St. George Gazette.

Appointment of dates, times and places.

30. The Local Government shall appoint, and shall notify, in such manner as it thinks fit such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 18;

(*b*) the scrutiny of nomination papers under rule 21 ;

(*c*) the attestation of voting papers under rule 23 ; and

(*d*) the counting of votes under rule 26.

FORM I.

(*See Rule 9.*)

ELECTORAL ROLL OF MUHAMMADANS FOR .

Serial number.	Name of district.	Name of Elector.	Name of Elector's father, karnavan or ejman	Address.	Qualifications.	Whether representing a joint family or joint landowners.	Whether representing a firm.	Serial No. on previous electoral roll.
1	2	3	4	5	6	7	8	9

FORM II.

(*See Rule 18.*)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father, karnavan or ejman.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered on the electoral roll.
7. Number borne by candidate on the electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the day of 19 , by and who are personally known to me (*or* who have been identified to my satisfaction) as voters Nos. and on the electoral roll of Muhammadans for for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

STATION.

DISTRICT. *Attesting Officer.*

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of , and between the hours of and , at the office of .

FORM III.

(See rule 23.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Muhammadan community in the electoral area No. . The following ( ) candidates have been duly nominated:—

Serial number.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [
] No. on the electoral roll of Muhammadans for
for the election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

C. N.,
Elector.

.....

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,
Attesting Officer.

FORM IV.

(*See rule 24.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY .

The following is a list of all the electors whose voting papers have been attested by me :—

Serial number.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VII.

[*See Regulation II, sub-heads (vii) and (viii) and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MADRAS CHAMBER OF COMMERCE AND THE MADRAS TRADES ASSOCIATION, RESPECTIVELY.

1. The Members specified in Regulations II, sub-heads (vii) and (viii) shall be selected by the members of the Madras Chamber of Commerce and the Madras Trades Association, respectively.

2. Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber or Association, as the case may be, shall be eligible for election.

3. On or before such date as may be appointed by the Governor in this behalf, the said Chamber and Trades Association shall respectively elect the members aforesaid in such manner as a trustee for the Port of Madras is for the time being elected by the said Chamber and Trades Association respectively under section 9 of the Madras Port Trust Act, 1905.

4. The Chairman of the said Chamber or Trades Association, as the case may be, shall forthwith report the result of the election to the Secretary to the Government of Madras in the Legislative Department and the name of the candidate elected shall be published in the *Fort St. George* Gazette.

SCHEDULE VIII.

[*See Regulation II, sub-head (ix) and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE PLANTING COMMUNITY.

1. On receipt of an intimation that an election is to be held, the Secretary to the United Planters' Association of Southern India shall without delay send, by registered post, to the Secretary to each affiliated Planters' Association a notice that an election is to be held on or before such date as the Governor may appoint in this behalf.

2. Upon receipt of the notice referred to in rule 1, the Secretary to each of the said Associations shall without delay send to each member of his Association a notice that a meeting of the members of the affiliated Association will be held at a specified place and time and on a specified date, which date shall be not less than ten clear days before the date referred to in rule 1.

3. (1) At the meeting held under rule 2 each member of the affiliated Association shall be entitled to give one vote for one candidate for election to the Madras Legislative Council.

(2) Any person not ineligible for election under these Regulations who is a member of one of the Planters' Associations affiliated to the United Planters' Association of Southern India, shall be eligible for election.

(3) The voter shall record his vote on a voting paper, whereon he shall write the name of the person voted for and his own full signature, and shall place the voting paper in a ballot-box.

(4) As soon as, in the opinion of the member presiding at the meeting, sufficient time has elapsed to enable the voting to be completed, he shall ask whether any member present has not yet voted, and shall call upon such member to vote within such time as a member presiding may fix.

(5) If there is no member present who has not voted, or on the expiry of the time so fixed, the presiding member shall open the ballot-box, count the votes and, after rejecting any voting papers not prepared in accordance with this rule, shall announce the result of the ballot to the meeting.

(6) In case of an equality of votes for two or more persons, the presiding member shall have a second, or casting, vote.

4. Immediately after the conclusion of the ballot under rule 3, the Secretary to the affiliated Association shall report the result thereof by registered post to the Secretary to the United Planters' Association of Southern India.

5. Upon receipt of the reports under rule 4 from the affiliated Associations, the Secretary to the United Planters' Association of Southern India shall give to the vote of each of the affiliated Associations the value assigned to it by the rules framed by the United Planters' Association of Southern India to regulate voting at general meetings of that body, and shall determine which candidate has received the largest number of votes as so valued.

6. In the event of two or more candidates for election receiving an equal number of votes, as determined under rule 5, the Secretary to the United Planters' Association of Southern India shall report the fact without delay to the Chairman of the said Association or, in his absence, to the Vice-Chairman of that Association, and the Chairman, or Vice-Chairman, as the case may be, shall have a casting vote.

7. The voting papers given in at the meetings held under rule 3 shall be sealed up and retained by the Secretaries to the affiliated Associations for six months, and shall then be destroyed.

8. The Secretary to the United Planters' Association of Southern India shall forthwith report by registered post the name of the person elected to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the *Fort St. George* Gazette.

Enclosure no. 2 (2).

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

(Published under Notification No. 16 of the Government of India, in the Legislative Department, dated the 15th November 1909, as amended by Notification No. 49 of the Government of India, in the Legislative Department, dated 4th October 1912.)

Number of Members.

I. (1) The Additional Members of the Legislative Council of the Governor of Bombay, other than the Advocate General or other officer acting in that capacity, shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be twenty-one in number;

B.—Members nominated by the Governor, who shall not exceed twenty-one in number, and of whom not more than fourteen may be officials.

(2) In addition to the forty-two Additional Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Additional Members of the Council:

Provided that it shall not be lawful for the Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The twenty-one elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the Municipal Corporation of the City of Bombay	1 Member.
(ii) By the University of Bombay	1 Member.
(iii) By the Sardars of the Deccan	1 Member.
(iv) By the Sardars of Gujarat	1 Member.
(v) By the Jagirdars and Zamindars of Sind	1 Member.
(vi) By the Municipalities	4 Members.
(vii) By the District Local Boards	4 Members.
(viii) By the Muhammadan community	4 Members.
(ix) By the Indian commercial community	1 Member.
(x) By the Bombay Chamber of Commerce	1 Member.
(xi) By the Karachi Chamber of Commerce	1 Member.
(xii) By the Millowners' Association of Bombay and the Millowners' Association of Ahmedabad, alternately	1 Member.

Electorates and electoral procedures.

III. The election of the Member specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is an official, or

(*c*) is a female, or

(*d*) has been adjudged by a competent Court to be of unsound mind, or

(*e*) is under twenty-five years of age, or

(*f*) is an uncertificated bankrupt or an undischarged insolvent, or

(*g*) has been dismissed from the Government service, or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted or the offender pardoned, or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*k*) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest:

Provided that in cases (*g*), (*h*), (*i*) and (*k*) the disqualification may be removed by order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person who is elected or nominated under these Regulations to be a Member of Council shall, before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely:—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Governor of Bombay, do solemnly swear (*or* affirm) *that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.*

Power to declare seats vacant.

VIII. (1) *If any person*—

(*a*) *not being eligible for election, is elected under these Regulations, or*

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable,

the Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretray to the Legislative Council of the Governor of Bombay within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default, the Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as otherwise provided in these Regulations, the term of office of an Additional Member shall be three years commencing from—

(*a*) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election, or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled, and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member,

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations and of transacting other business vested in the Legislative Council of the Governor of Bombay shall be exercised only when ten or more Additional Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(*i*) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(*ii*) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

Disputes as to validity of elections.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such inquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor may nominate at his discretion, for a period not exceeding six months, any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head* (*i*), *and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUNICIPAL CORPORATION OF THE CITY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (i), shall be elected by the members of the Municipal Corporation of the City of Bombay.

2. Any person not ineligible for election under these Regulations who—

(*a*) is at the date of the election a member of the Municipal Corporation of the City of Bombay, or

(*b*) has served at least for three years as a member of that Corporation,

shall be eligible for election:

Provided that the President is satisfied that such person is willing to stand for election.

3. On or before such date as may be appointed by the Governor in this behalf, the election shall be made by the Municipal Corporation of the City of Bombay in the same manner as though such election was an item of municipal business and the Corporation had met for the despatch of municipal business at a special meeting called by the President under section 36, clause (*d*), of the City of Bombay Municipal Act, 1888, and the election shall be decided in accordance with section 36, clause (*q*), of the said Act.

4. The President shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF BOMBAY.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Bombay, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head ii), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Bombay having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4 A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India, whose address has been registered at the office of the Returning Officer, one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer:

Provided that if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the counterfoil.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and save as provided in rule 10 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall tear off the counterfoils and place them in safe custody pending disposal under rule 12.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers but not the counterfoils to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3;
(*b*) the scrutiny of nomination papers under rule 5;
(*c*) the sending of voting papers under rule 6;
(*d*) the recording of votes under rule 7; and
(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3*).

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

Counterfoil.
Serial No.

I hereby declare that I am a Member of the Senate / an Honorary Fellow of the University of Bombay.

(*Signed*) _____

Serial No.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Members of the Senate and Honorary Fellows of the University of Bombay.

Serial No.	Names of candidates duly nominated.	Vote.

Returning Officer.

Instructions.

1. Each voter has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the counterfoil. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 191 will be rejected.

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE SARDARS OF THE DECCAN.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means the Agent to the Sardars of the Deccan, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualification of electors.

2. The election of the Member specified in Regulation II, sub-head (iii), shall be made by all persons who are qualified to vote and whose names appear in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd day of July 1867.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations and belonging to the class specified in rule 2 may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the Form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4 A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination paper, and shall decide all objections which may be made to any nomination paper, on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which the name of the elector and the names of the candidates duly nominated shall be entered at the places respectively provided therefor:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose on such date and at such time as may be appointed by the Local Government in this behalf with the voting paper sent to him before an Attesting Officer, who shall provide him with an envelope for enclosing the voting paper.

(3) The elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer in accordance with the instructions on the voting paper, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the counterfoil.

8. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 10 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall tear off the counterfoils and place them in safe custody pending disposal under rule 12.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers but not the counterfoils to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 7 ;

(*d*) the attestation of voting papers under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 7.)

VOTING PAPER.

Counterfoil.
Serial No.

Name of Elector.

I hereby declare that I am the person whose name appears as

on the list now in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd day of July 1867.

(*Signed*).

Elector.

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

(*Signed*)

Attesting Officer.

Serial No.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Sardars of the Deccan.

Serial No.	Names of candidates duly nominated.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

FORM III.

(*See rule 8.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE SARDARS OF GUJARAT.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means the Commissioner of the Northern Division, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualification of electors.

2. The election of the Member specified in Regulation II, sub-head (iv), shall be made by all persons who are qualified to vote and whose names appear in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department No. 6265, dated the 21st day of September 1909.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations and belonging to the class specified in rule 2 may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the Form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4-A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes; or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which the name of the elector and the names of the candidates duly nominated shall be entered at the places respectively provided therefor:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose on such date and at such time as may be appointed by the Local Government in this behalf with the voting paper sent to him before an Attesting Officer, who shall provide him with an envelope for enclosing the voting paper.

(3) The elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer in accordance with the instructions on the voting paper, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the counterfoil.

8. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 10 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall tear off the counterfoils and place them in safe custody pending disposal under rule 12.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as, may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, but not the counterfoils, to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 5;

(*c*) the sending of voting papers under rule 7;

(*d*) the attestation of voting papers under rule 7; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 7.)

VOTING PAPER.

Counterfoil.
Serial No.

Name of elector.

I hereby declare that I am the person whose name appears as..... .....on the list now in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st day of September 1909.

(*Singed*)

Elector.

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

(*Signed.*)

Attesting Officer.

Serial No.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Sardars of Gujarat.

Serial No.	Names of candidates duly nominated.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

FORM III.

(*See rule 8.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[See Regulation II, sub-head (v), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE JAGIRDARS AND ZAMINDARS OF SIND.

Preliminary.

1. (1) "Attesting Officer" for a district means the Collector or Deputy Commissioner of the district, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means the Commissioner in Sind, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (v), shall be made by all persons qualified to vote who are—

(*a*) Jagirdars of the first or second class, or

(*b*) Zamindars who for the three years preceding the preparation of the electoral roll have paid not less than one thousand rupees per annum as ordinary land-revenue:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the Sind Gazette.

(2) As soon as may be after the publication of the roll in the Sind Gazette, a copy thereof shall be posted in a conspicuous place at the office of the Collector or Deputy Commissioner and of the Muktiarkar of every district and taluka in Sind.

(3) The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

4. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Returning Officer may of his own motion, and shall, on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll.

(3) On such revision the Returning Officer, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the Returning Officer to the Local Government, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Local Government may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be signed by the Returning Officer and sent by him to each

elector through the Muktiarkar of the taluka in which such elector resides on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the Form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein :

Provided that no elector shall subscribe more than one nomination paper.

6. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

6-A.(1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes; or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

8. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

9. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district against which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer in accordance with the instructions on the voting paper, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the counterfoil.

10. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following, the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 12 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall tear off the counterfoils and place them in safe custody pending disposal under rule 14.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, but not the counterfoils, to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3 ;

(*b*) the sending of nomination papers under rule 5 ;

(*c*) the scrutiny of nomination papers under rule 7 ;

(*d*) the attestation of voting papers under rule 9 ; and

(*e*) the counting of votes under rule 12.

FORM I.

(*See rule 3.*)

ELECTORAL ROLL OF THE JAGIRDARS AND ZAMINDARS OF SIND FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

Serial No. on roll.	Name of district	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule* 5.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM III.

(See rule 9.)

VOTING PAPER.

Counterfoil.
Serial No.

I hereby declare that I am the person whose name appears as

No. on the electoral roll of Jagirdars and Zamindars of Sind for the election of an Additional Member of the Legislative Council of the Governor of Bombay.

(Signed)

Elector.

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

(Signed)

Attesting Officer.

Serial No.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Jagirdars and Zamindars of Sind.

Serial No.	Names of candidates duly nominated.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

FORM IV.

(*See rule 10.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :-

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VI.

[*See Regulation II, sub-heads (vi) and (vii), and Regulation III.*]

RULES FOR THE FLECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPALITIES AND DISTRICT LOCAL BOARDS.

Preliminary.

1. "Returning Officer" means the Commissioner of the Division for which the election is held, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (vi) and sub-head (vii), respectively, one shall be elected by each of the following groups of Municipalities or District Local Boards, namely :—

By the Municipalities of the Southern Division	1 Member.
By the Municipalities of the Northern Division	1 Member.
By the Municipalities of the Central Division	1 Member.
By the Municipalities of the Sind Division	1 Member.
By the District Local Boards of the Southern Division	1 Member.
By the District Local Boards of the Northern Division	1 Member.
By the District Local Boards of the Central Division	1 Member.
By the District Local Boards of the Sind Division	1 Member.

Electorate.

3. (1) The Member to be elected by each of the groups of Municipalities or District Local Boards mentioned in rule 2 shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by the non-official members of all the Municipalities or District Local Boards of the group.

(2) The number of delegates which Municipalities or District Local Boards are entitled to select shall be in accordance with the following scale, namely :—

Municipalities.

	Number of delegates.
where the population of the Municipality—	
exceeds 5,000, but does not exceed 10,000	1
do. 10,000 do. 20,000	2
and for every 10,000 or part thereof in excess of 20,000	1

District Local Boards.

	Number of delegates.
where the population of the district—	
does not exceed 100,000	1
where it exceeds 100,000, but does not exceed 200,000	2
and for every 100,000 or part thereof in excess of 200,000	1

(3) The population of each Municipality or district shall be deemed to be that stated in the returns of the most recent official census.

Selection of delegates.

4. (1) On such date and at such time as may be appointed by the Local Government in this behalf, the non-official members of each Municipality or District Local Board shall meet for the purpose of selecting the number of delegates to which it may be entitled.

(2) The proceeding at such meeting shall be held as though the members of the Municipality or District Local Board, as the case may be, had met at a special general meeting held under section 26, clause (2), of the Bombay District Municipal Act, 1901, or at a special meeting held under section 32, clause (*a*), sub-head (1), of the Bombay Local Boards

Act, 1884, as the case may be, and the representatives shall be selected by a majority of the members present in accordance with the provisions of the respective sections aforesaid as though such selection were an item of Municipal or District Local Board business.

5. Upon the completion of such selection the President or Chairman shall without delay report to the Returning Officer in Form I annexed to this Schedule the names and addresses of the delegates selected.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations who has a place of residence in the group for which he seeks election, and has such practical connection with it as qualifies him to represent it, and either is a non-official member or has served at least three years as such a member of any Municipality or District Local Board in that group, may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the President to any such member of any Municipality or District Local Board of the group concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such members as proposer and seconder, and shall be attested in the manner prescribed on the face of the Form by the President or Vice-President of one of the Municipalities or District Local Boards of the group concerned :

Provided that no such member shall subscribe more than one nomination paper.

(4) Nomination papers when duly subscribed and attested shall be despatched without delay by the officer attesting the same by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7-A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8 (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where a member subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If in any group one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. On or before such date as the Local Government may appoint in this behalf, the Returning Officer shall sign and send to each delegate by registered post a voting paper in

Form III annexed to this Schedule, in which the name of the delegate and the names of the candidates duly nominated shall be entered at the places respectively provided therefor :

Provided that such a voting paper shall also be supplied to any delegate on his applying for the same to the Returning Officer or to the President or Vice-President of the Municipality or District Local Board by which he was selected on or before the date appointed for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by a delegate of his voting paper.

11. (1) On or before such date as may be appointed in this behalf, every delegate desirous of recording his vote shall, after filling up the voting paper in accordance with the instructions contained therein, and causing his signature on the counterfoil to be attested in accordance with the same instructions by the President or Vice-President of the Municipality or District Local Board by which he was selected, deliver the same to such President or Vice-President, who shall thereupon send it to the Returning Officer by registered post.

(2) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

(3) If a delegate is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the President or Vice-President aforesaid, as the case may be, shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the counterfoil.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers, the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where a delegate records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 13 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall tear off the counterfoils and place them in safe custody pending disposal under rule 15.

13. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, but not the counterfoils, to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 4 ;

(*b*) the scrutiny of nomination papers under rule 8 ;

(*c*) the sending of voting papers under rule 10 ;

(*d*) the attestation of voting papers under rule 11 ; and

(*e*) the counting of votes under rule 13.

FORM I.

(*See rule* 5.)

RETURN OF DELEGATES.

Certified that at a meeting held on the day of , at , the following delegate (*or* delegates) was (*or* were) selected by the non-official members of the of

Serial No.	Name and father's name.	Address.

President (or *Chairman*).

FORM II.

(See rule 6.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as non-official members of the of being one of the included in group .

President or Vice-President of the

Instructions.

1. Nomination papers shall be attested by the President or Vice-President of one of the Municipalities or District Local Boards of the group making the election. Those not so attested shall be invalid.

2. Nomination papers which are not received by the Returning Officer before of the day of 19 shall be invalid.

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FORM III.

(See rule 10.)

VOTING PAPER.

Counterfoil.

Serial No.

Name of Delegate.

I hereby declare that I am a delegate from the
of
for the election of an Additional Member of the Legislative Council of the Governor of Bombay by the Municipalities and District Local Boards of the Division.

Signed

Delegate.

Signed in my presence by the Delegate who is personally known to me (*or* who has been identified to my satisfaction).

Signed

President
Vice-President of

Serial No.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Delegates selected by the Municipalities and District Local Boards of the Division.

Serial No.	Names of candidates duly nominated.	Vote.

Returning Officer.

Instructions.

1. Each delegate has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the delegate shall sign the declaration on the counterfoil in the presence of the President or Vice-President of the Municipality or District Local Board by which he was selected, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the President or Vice-President on or before the day of 19 .

SCHEDULE VII.

[*See Regulation II, sub-head (viii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (viii), one shall be elected by the qualified electors in each of the four following areas, hereinafter called Divisions :—

Division I.—The Southern Division.

Division II.—The Northern Division.

Division III.—The Central Division.

Division IV.—The City of Bombay.

Qualifications of electors.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Division for which the election is being held who—

(*a*) hold alienated or unalienated land assessed at or of the assessable value of not less than one hundred rupees or in the City of Bombay of a rateable value of not less than two thousand and five hundred rupees as determined in accordance with the provisions of Chapter VIII of the City of Bombay Municipal Act, 1888, for the purposes of that Act; or

(*b*) being sharers in joint estates are entitled to a share which would as a separate holding qualify them to vote under sub-clause (*a*); or

(*c*) have during the financial year immediately pending that in which the election is held paid on their own account income-tax on an income of not less than one thousand rupees per annum, or in the City of Bombay, two thousand rupees per annum; or

(*d*) are practising Advocates or Attorneys; or

(*e*) are holders of any title conferred or recognised by the Government or are Members of the Order of the Star of India or of the Order of the Indian Empire, or holders of the Kaisar-i-Hind Medal; or

(*f*) hold diplomas in medicine or engineering granted at least five years previously by any Institution in the British Empire recognised by the Local Government for this purpose; or

(*g*) are conciliators under the Deccan Agriculturists' Relief Act, 1879; or

(*h*) are Justices of the Peace or Honorary Magistrates; or

(*i*) are graduates of five years' standing of any University in the British Empire :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published for each division by the Returning Officer in the local official Gazette.

(2) Where a firm or company is composed exclusively of persons who are Muhammadans and such firm or company is qualified under rule 3, clause (*a*) or clause (*c*), the name of any

person duly authorised in writing in this behalf by the firm or company shall be entered in the said roll as the representative, for the purposes of the roll, of such firm or company.

(3) In determining the eligibility of a landholder as an elector only land-revenue payable or assessable in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and Mamlatdar and of the Collector of Bombay.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Returning Officer may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll.

(3) On such revision the Returning Officer, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll, and his order shall be final.

(4) The electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election by the electors of the Division in which he resides, and with which he has such practical connection as qualifies him to represent him.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the Division for which the election is being held as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be duly attested by the Attesting Officer in the manner prescribed on the face of the Form, and without delay despatched by registered post to the Returning Officer except when the Returning Officer and Attesting Officer are one and the same person.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8-A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer, who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed in each Division, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

10. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district against which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer in accordance with the instructions on the voting paper, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer..

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness, or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the counterfoil.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested :

Provided that this rule shall not apply where the Attesting Officer and the Returning Officer are one and the same persons.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse " rejected " with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 14 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall tear off the counterfoils and place them in safe custody pending disposal under rule 16.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, but not the counterfoils to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable, for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4;

(*b*) the attestation of nomination papers under rule 7;

(*c*) the scrutiny of nomination papers under rule 9;

(*d*) the attestation of voting papers under rule 11; and

(*e*) the counting of votes under rule 14.

FORM I.

(*See rule 4.*)

ELECTORAL ROLL OF MUHAMMADANS FOR THE DIVISION / CITY OF BOMBAY FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans for the City Division of Bombay for the election of an Additional Member to the Legislative Council of the Governor of Bombay.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of 19 , and between the hours of and , at the office of .

FORM III.

(See rule 11.)

VOTING PAPER

Counterfoil.
Serial No.

I hereby declare that I am the person whose name appears as

No. on the ele toral roll of Muhammadans for the Division (*or* the City of Bombay) for the election of an Additional [illegible] Legislative Council of the Governor of Bombay.

Signed.

Elector.

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

Signed.

Attesting Officer.

866HD

Serial No.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Muhammadan community in the Division (*or* the City of Bombay).

Serial No.	Names of candidates duly nominated.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the counterfoil in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

109

FORM IV.

(*See rule 12.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VIII.

[See Regulation II, sub-head (ix), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE INDIAN COMMERCIAL COMMUNITY.

Preliminary.

1. "Returning Officer" means the Secretary to the Legislative Council of the Governor of Bombay, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) The Member specified in Regulation II, sub-head (ix), shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by the members of the bodies styled "the Indian Merchants' Chamber" and "the Bombay Native Piece-goods Merchants' Association."

(2) The number of delegates which each of the said bodies is entitled to select shall be ten.

Selection of delegates.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, each of the said two bodies shall meet at a special general meeting convened in accordance with its rules for the purpose of selecting delegates.

(2) Such selection shall be made in the manner laid down from time to time by the rules of the body concerned for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the body making the selection shall, on or before the date appointed by the Local Government in this behalf, report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations who is and has been a member of one of the bodies aforesaid for at least one year at the date of the meeting at which delegates were selected by that body may be nominated as a candidate for election.

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Chairman of either of the said bodies in the manner prescribed on the face of the Form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers when duly filled in shall be despatched by registered post to the Returning Officer.

6. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

6 A (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

8. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

9 (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form 11 annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(3) The elector shall then send the voting paper enclosed in the envelope provided to the Returning Officer by registered post.

(4) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(5) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Chairman aforesaid shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the counterfoil.

(6) Voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse " rejected " with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 11 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall tear off the counterfoils and place them in safe custody pending disposal under rule 13.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, but not the counterfoils, to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall with out delay publish the name of the candidate elected in the local official Gazette.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 3 ;

(*b*) the report of the selection of delegates under rule 4 ;

(*c*) the scrutiny of nomination papers under rule 5 ;

(*d*) the sending of voting papers under rule 9 ; and

(*e*) the counting of votes under rule 11.

FORM I.

(*See rule 5.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* have been identified to my satisfaction) as being Delegates selected by the

Chairman of

Instructions.

(1) Nomination papers shall be attested by the Chairman of the Indian Merchants Chamber or the Bombay Native Piece-goods Merchants' Association. Those not so attested shall be invalid.

(2) Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 9.)

VOTING PAPER.

Counterfoil.

Serial No.

Name of elector.

I hereby declare that I am a delegate from the..... for the election of an Additional Member of the Legislative Council of the Governor of Bombay by the Indian Commercial Community.

Signed

Elector.

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

Signed

Chairman of

Serial No.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Delegates selected by the Indian Commercial Community.

Serial No.	Names of candidates duly nominated.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2 He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the counterfoil in the presence of the Chairman of the body by which he was selected, and shall obtain his signature to the certificate printed thereunder. Without such signature to the certificate the voting paper shall be invalid.

5. Voting papers after being duly filled up shall be sent by the elector enclosed in the envelope provided to the Returning Officer by registered post. Voting papers which are not received by the Returning Officer before the day of 19 shall be rejected.

SCHEDULE IX.

[*See Regulation II, sub-heads* (*x*) *and* (*xi*), *and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BOMBAY CHAMBER OF COMMERCE AND THE KARACHI CHAMBER OF COMMERCE, RESPECTIVELY.

1. The Members specified in Regulation II, sub-heads (*x*) and (*xi*), shall be elected by the members of the Bombay Chamber of Commerce and the Karachi Chamber of Commerce, respectively.

2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Bombay Chamber or Karachi Chamber, as the case may be, shall be eligible for election:

Provided that the President of the said Bombay Chamber or Karachi Chamber, as the case may be, is satisfied that such person is willing to stand for election.

3. On or before such date as may be appointed by the Governor in this behalf—

(*a*) the Bombay Chamber of Commerce shall elect the Member specified in Regulation II, sub-head (x), in such manner as a Trustee for the Port of Bombay is for the time being elected by the said Chamber under section 6 of the Bombay Port Trust Act, 1879;

(*b*) the Karachi Chamber of Commerce shall elect the Member specified in Regulation II, sub-head (xi), in such manner as a Trustee for the Port of Karachi is for the time being elected by the said Chamber under section 8 of the Karachi Port Trust Act, 1886.

4. The President of the said Bombay Chamber or Karachi Chamber, as the case may be, shall forthwith report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE X.

[*See Regulation II, sub-head* (*xii*), *and Regulation III*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MILLOWNERS' ASSOCIATION OF BOMBAY AND THE MILLOWNERS' ASSOCIATION OF AHMEDABAD.

1. The Member specified in Regulation II, sub-head (*xii*), shall be elected alternately by the Millowners' Association of Bombay and the Millowners' Association of Ahmedabad:

Provided that the Millowners' Association of Bombay shall have the first right of election.

2. Any person not ineligible for election under these Regulations who is and has been at the date of the election a member for one whole year of the body by which the election is being made shall be eligible for election:

Provided that the Chairman of the Association making the election is satisfied that such person is willing to stand for election.

3. On or before such date as may be appointed by the Governor in this behalf, the election shall be made by a majority of votes of the members in the manner laid down from time to time in the rules of the Association making the election for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the Association shall forthwith report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Enclosure no. 2 (3).

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

(*Published in Notification No. 18 of the Government of India in the Legislative Department, dated 15th November 1909 as amended by Notification No. 50 of the Government of India in the Legislative Department dated 5th October 1912*).

Number of Members.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh shall ordinarily consist of—

(A) Members elected by the classes specified in Regulation II, who shall be twenty-one in number;

(B) Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed twenty-six in number, and of whom—

(*a*) not more than twenty may be officials, and

(*b*) one shall be a non-official person to be selected from the Indian commercial community.

(2) In addition to the forty seven Members above specified, the Lieutenant-Governor may, with the sanction of the Governor General, nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council :

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members

II. The twenty-one elected Members specified in Regulation I shall be elected as follows, namely :—

(i)	By the University of Allahabad	1 Member.
(ii)	By the Municipal Boards specified in Schedule II to these Regulations	4 Members.
(iii)	By the District and Municipal Boards specified in Schedule III to these Regulations	9 Members.
(iv)	By the Landholders	2 Members.
(v)	By the Muhammadan community	4 Members.
(vi)	By the Upper India Chamber of Commerce ...	1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is an official, or

(*c*) is a female, or

(*d*) has been adjudged by a competent Court to be of unsound mind, or

(*e*) is under twenty-five years of age, or

(*f*) is an uncertificated bankrupt or an undischarged insolvent, or

(*g*) has been dismissed from the Government service, or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such

sentence or order not having subsequently been reversed or remitted or the offender pardoned, or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*k*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in the opinion of the Lieutenant-Governor, be contrary to the public interest :

Provided that in cases (*g*), (*h*), (*i*), and (*k*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Disqualifications of voters. Oath of office.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Qualifications of candidates.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female ; or

(*b*) is a minor ; or

(*c*) has been adjudged by a competent Court to be of unsound mind.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council shall, before taking his seat, make at a meeting of the Council an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, *A. B.*, having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, his heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

(*a*) not being eligible for election, is elected under these Regulations, or

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) *or* (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor may consider reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect within such time as may be prescribed by such notification another person, or shall, with the sanction of the Governor-General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may with the like sanction nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Local Government within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Lieutenant-Governor shall declare, for which of the electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who but for the said votes

would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as otherwise provided in these Regulations, the term of office of a Member shall be three years commencing from—

(*a*) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election, or, when the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor-General, nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may with the like sanction nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations *and* of transacting other business vested in the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh shall be exercised only when ten or more Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor-General, nominate any person who is eligible for election by such electorate.

Finality of decision.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (1), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF ALLAHABAD.

Preliminary.

1. " Returning Officer " means the Registrar of the University of Allahabad, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (i), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Allahabad having a place of residence in India (hereinafter called electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is entitled to vote under this Schedule may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4-A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government or the scrutiny of nomination papers, every candidate and his proposer

and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject, either of his own motion or on such objection any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer :

Provided that if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the date appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 10 (4) or in Regulation XVI such rejection shall be final.

(4) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ;

(*d*) the recording of votes under rule 7 ; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(*See rule 6.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor by the Members of the Senate and Honorary Fellows of the University of Allahabad. The following candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the

I hereby declare that I am a Member of the Senate (*or* an Honorary Fellow) of the University of Allahabad.

(Signed) _____

(*Fold on this line*)

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY CERTAIN MUNICIPAL BOARDS IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) For the purpose of the election of the four Members referred to in Regulation II, sub-head (ii), two groups of Municipal Boards shall be formed, namely :—

Group I—consisting of the Municipal Boards of Meerut, Agra, Allahabad and Lucknow; and

Group II—consisting of the Municipal Boards of Bareilly, Cawnpore, Benares and Fyzabad.

(2) The four Members above referred to shall be elected alternately by the four Municipal Boards forming each of the said groups :

Provided that the Municipal Boards in group I shall have the first right of election.

(3) The members, other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex-officio*, of each of the four Municipal Boards forming a group shall elect one Member.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations, and having a place of residence in the municipality for the representation of which he is a candidate, may be nominated as a candidate for election if he—

(*a*) is qualified as an elector in such municipality under rule 2, sub-rule (3) ; or

(*b*) has served as a member of the Municipal Board of such municipality for a period of not less than three years :

Provided that the Returning Officer is satisfied that such person is willing to to be so nominated.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the municipality as proposer and seconder and delivered to the Returning Officer.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4-*A* (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If in any municipality one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) Every elector desirous of recording his vote shall attend for the purpose at such place and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Returning Officer shall thereupon deliver to each such elector a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then deliver the voting paper to the Returning Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid :

Provided that if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

Counting of votes and declaration of result.

8. (1) On receiving the voting paper, the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 9 (3) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal, and shall then proceed to count the votes.

9. (1) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(2) The Returning Officer shall show the voting papers sealed as provided by rule 8 to the candidates or their representatives.

(3) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(4) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in local official Gazette.

Appointment of dates, times and places.

13. The Local Government shall appoint, and shall notify, in such manner as it thinks fit such date and if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the scrutiny of nomination papers under rule 5 ;

(*b*) the attestation of voting papers under rule 7, and

(*c*) the counting of votes under rule 8.

FORM 1.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Instructions.

1. Nomination papers which are not received by the Returning Officer before the day of 19 shall be rejected.

FORM II.

(See rule 7.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the Municipal Board of . The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Returning Officer between the hours of and on the day of 19

I hereby declare that I am a qualified elector in the Municipa'ity for the election of a Member the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

C.N.,
Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,
Returning Officer.

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY CERTAIN DISTRICT AND MUNICIPAL BOARDS OF THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of an Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) Of the *nine* members referred to in Regulation II, sub-head (iii), one shall be elected for each of the Meerut, Agra, Rohilkhand, Allahabad, *Jhansi*, Benares, Gorakhpur, Lucknow and Fyzabad Divisions.

(2) The said Members shall be elected by the votes of delegates to be selected in the manner hereinafter prescribed by the members, other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex-officio*, of all District Boards and such Municipal Boards within the said Divisions as are established for towns forming district headquarters or containing more than twenty thousand inhabitants according to the returns of the most recent official census, or as are named in the notification of the Lieutenant Governor of the United Provinces of Agra and Oudh No. 44-C—III-807 A., dated the 19th day of July 1899:

Provided that nothing in this rule shall be deemed to apply to any Municipal Board which,—

(*a*) at the time of holding an election under this Schedule to fill a casual vacancy, is already represented by a Member elected under Regulation II, sub-head (ii), or

(*b*) at the time of holding an election to fill a vacancy other than casual, is entitled to elect a Member under the said sub-head of the said Regulation.

(3) The number of delegates which such District and Municipal Boards are entitled to select shall be in accordance with the following scale, namely :—

District Boards.

For district with a population of under 500,000			...	2 delegates.
" " "	from 500,000 to 750,000		...	3 "
" " "	" 750 000 to 1,000,000			4 "
" " "	" 1,000,000 to 1,250,000			5 "
" " "	" 1,250,000 to 1,500,000			6 "
" " "	over 1,500,000		...	7 "

Municipal Boards.

For towns containing not more than 20,000 inhabitants			...	1 delegate.
" "	between 20,000 and 50,000 inhabitants			2 delegates.
" "	" 50,000 and 100,000	"		3 "
" "	over 100,000	"		4 "

Selection of delegates.

3. On such date and at such time as may be appointed by the Local Government in this behalf, the members of each board, other than (*a*) the Chairman, if an official, and (*b*) the members appointed *ex-officio*, shall meet for the purpose of selecting the number of delegates to which it may be entitled.

4. (1) At such meeting the Attesting Officer shall attend and, after explaining the rules, shall sign and deliver to each member of the board present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The members present shall then proceed to elect from among themselves a Chairman who shall in the first instance state the number of delegates to be selected and call upon such members to nominate persons for selection.

5. (1) Any member of such board may be nominated for selection as a delegate by any two other members of the same board as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

(2) If the number of members nominated does not exceed the number of delegates assigned to the board as aforesaid, they shall be deemed to be selected as delegates, and the Chairman shall forthwith inform the Attesting Officer of their names and addresses.

(3) If the number of members nominated exceeds the number of delegates assigned as aforesaid, the members present, including the Chairman, shall record their votes in the manner prescribed in the voting paper, and deliver the voting papers to the Chairman.

6. (1) The Chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated together with the voting papers

(2) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the members, and shall endorse "rejected" on any voting paper which he may reject, and mark 'discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.

7. (1) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be selected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

8. Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and list of nominations, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

9. The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter called electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe

Qualifications and nomination of candidates.

10. (1) Any person not ineligible for election under these Regulations and having a place of residence in the Division for the representation of which he is a candidate may be nominated as a candidate for election, if he—

(*a*) is a member of any District or Municipal Board in that Division; or

(*b*) owns land in respect of which land-revenue amounting to not less than three thousand rupees per annum is payable; or

(*c*) owns land free of revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with land-revenue payable in respect of other land by such owner, amounts to not less than three thousand rupees per annum; or

(*d*) pays on his own account income-tax on an income of not less than three thousand rupees; or

(*e*) owns land and pays on his own account income-tax when the sum of land-revenue payable annually by him together with the land-revenue nominally assessed on land owned by him, and the income on which he pays income-tax is not less than three thousand rupees:

Provided that the income-tax referred to in clause (*d*) or clause (*e*) was paid during the financial year immediately preceding that in which the election is held.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the Division as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf and if the attesting officer is satisfied that the nominee is willing to stand for election, shall be attested by the attesting officer in the manner prescribed on the face of the form and without delay despatched by registered post to the returning officer.

11. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

11 A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes ; or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

12. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

13. (1) If in any Division one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

14. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district by a District or Municipal Board in which he was selected as delegate and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall then sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions thereon.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

(8) The Attesting Officer shall at the close of the day appointed for the attestation of voting papers despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

15. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it is invalid under these rules and shall endorse on the voting paper the grounds for such rejection or discarding; and, save as provided in rule 16 (4) or in Regulation XVI, such rejection or discarding shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

16. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 15 to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, or the discarding by him of any vote, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

17. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

18. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

19. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

20. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 3 ;
(*b*) the attestation of nomination papers under rule 10 ;
(*c*) the scrutiny of nomination papers under rule 12 ;
(*d*) the attestation of voting papers under rule 14 ; and
(*e*) the counting of votes under rule 16.

FORM I.

(*See rule 4.*)

Delegate (s) $\frac{\text{is}}{\text{are}}$ to be selected by the qualified members of the Board.

Serial No.	Names of candidates.	Votes.

Attesting Officer.

Signature of Member.

Instructions.

1. Each member shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each member has as many votes as there are delegates to be selected.

3. A member may give more than one vote to any candidate nominated, except in cases where he has one vote only.

4. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate or candidates whom he prefers. If he wishes to give more than one vote to a candidate, he shall place, or cause to be placed, the mark × opposite the name as many times repeated as he wishes to give votes.

5. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of delegates to be selected.

6. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

7. After voting the member shall sign the paper, fold it and deliver it to the Chairman. Voting papers not signed shall be invalid.

FORM II.

(*See rule 10.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being delegates from the Boards of for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation between the hours of and on the day of 19 at the office of

FORM III.

(See rule 14.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the Delegates selected by the District and Municipal Boards in the Division. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote, unless he has been selected by both a District and a Municipal Board, in which case he shall have two.

2. If an elector has two votes, he may give both votes to one candidate.

3. He shall vote by placing or causing to be placed the mark × or the marks × ×, as the case may be, opposite the name of the candidate or candidates whom he prefers.

4. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number which the elector is entitled to give.

5. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

6. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

7. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am a Delegate selected by the Board for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 14.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

866HD

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY LANDHOLDERS IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties;

(2) " Firm " means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force; and

(3) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. The Members specified in Regulation II, sub-head (iv), shall be elected, one by landholders of the Province of Agra and the other by landholders of the Province of Oudh.

A. The Province of Agra.

Qualifications of electors.

3. The election shall be made by all persons qualified to vote and having a place of residence in the Province of Agra who—

(*a*) in that Province own land in respect of which land-revenue amounting to not less than five thousand rupees per annum is payable, or

(*b*) in that Province own land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with any land-revenue payable in respect of other land by such owners, amounts to not less than five thousand rupees per annum, or

(*c*) hold the title of Maharaja, Raja or Nawab if conferred or recognised by the Government, or

(*d*) hold the title of Rajwar, Rao Bahadur, Rao, Rai, Mirza Bahadur, Mirza, Khan Bahadur, Chaudhri, or Diwan if hereditary and recognised by the Government :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications described above.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint family, or a firm or company qualified under rule 3, clause (*a*) or clause (*b*), the name of the manager of the family and of any person duly authorised in writing in this behalf by the firm or company shall be entered in the roll, as the representative, for the purposes of the roll, of such family, firm or company, as the case may be.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the said Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the form and without delay despatched by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8-A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny

of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final, save as provided in Regulations VIII and XVI.

Voting.

10. (1) If one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and save as provided in rule 14 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4 :

(*b*) the attestation of nomination papers under rule 7 :

(*c*) the scrutiny of nomination papers under rule 9 :

(*d*) the attestation of voting papers under rule 11 ; and

(*e*) the counting of votes under rule 14.

B. The Province of Oudh.

19. (1) The election shall be made by the British Indian Association of Oudh at an extraordinary General meeting in the manner laid down for the time being in the bye-laws of the said Association for carrying resolutions or recording decisions upon questions of business brought before that body :

Provided that, where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn at such meeting and in such manner as the Chairman thereof may determine.

(2) The result of the election shall be forthwith communicated by the said Association to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Qualification of candidates.

20. Any person not ineligible for election under these Regulations and having a place of residence in the Province of Oudh who is a member of the British Indian Association of Oudh, shall be eligible for election under rule 19.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF LANDHOLDERS IN THE PROVINCE OF AGRA FOR THE ELECTION OF A MEMBER TO THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 3 (*a*) or 3 (*b*) who pays land-revenue, or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed Rs. 5,000.

3. In determining the eligibility of a landholder as elector, only land-revenue payable or nominally assessed on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of landholders in the Province of Agra for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of and between the hours of and , at the office of

FORM III.

(*See rule 11*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the landholders in the Province of Agra. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of landholders in the Province of Agra for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. V.,

Attesting Officer.

FORM IV.

(*See rule 12.*)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[*See Regulation II, sub-head (v), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties;

(2) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force; and

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (v), one Member shall be elected by the qualified electors in each of the four following groups of Divisions, namely:—

Group I.—The Meerut and Agra Divisions.

Group II.—The Rohilkhand and Kumaun Divisions.

Group III.—The Lucknow and Fyzabad Divisions.

Group IV.—The Allahabad, Jhansi, Benares and Gorakhpur Divisions.

Qualifications of electors.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the United Provinces of Agra and Oudh who—

(*a*) own land in respect of which land-revenue amounting to not less than three thousand rupees per annum is payable; or

(*b*) own land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same either alone or together with any land-revenue payable in respect of other land by such owners, amounts to not less than three thousand rupees per annum; or

(*c*) have during the financial year immediately preceding that in which the election is held paid on their own account income tax on an income of not less than three thousand rupees per annum; or

(*d*) are Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh; or

(*e*) are Ordinary or Honorary Fellows of the University of Allahabad; or

(*f*) are Trustees of the Muhammadan Anglo-Oriental College, Aligarh; or

(*g*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or

(*h*) are in receipt of pensions for service as gazetted or commissioned officers of the Government; or

(*i*) are Honorary Assistant Collectors, Honorary Magistrates or Honorary Munsifs; or

(*j*) are graduates of five years' standing of any university in the British Empire :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in the behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Where a firm or company is composed exclusively of persons who are Muhammadans and such firm or company is qualified under rule 3, clause (*a*), clause (*b*) or clause (*c*), the name of any person duly authorised in writing in this behalf by the firm or company shall be entered in the said roll as the representative, for the purposes of the roll, of such firm or company.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the said roll in the local official Gazette, an extract therefrom relating to each district shall be posted in a conspicuous place at the office of the District Magistrate.

5. The electoral roll shall be conclusive evidence for the purpose of determing whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local, official Gazette, direct.

(2) At any time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time up to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election by the electors of the group in which he resides.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the group for which the election is being held as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the form and without delay despatched by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed in each group, and the Returning Officer shall allow them to examine the nomination papers of all candidates which has been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper, in respect of which such decision is given and shall be final, save as provided in Regulations VIII and XVI.

Voting.

10. (1) If in any group one duly nominated candidate only stands for election the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the Attesting Officer shall be deemed to be invalid and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and save as provided in rule 14 (4) or in Regulation XVI such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the names of the candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4 ;

(*b*) the attestation of nomination papers under rule 7 ;

(*c*) the scrutiny of nomination papers under rule 9 ;

(*d*) the attestation of voting papers under rule 11 ;

(*e*) the counting of votes under rule 14.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS FOR THE ELECTION OF MEMBERS TO THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 3 (*a*) or 3 (*b*) who pays land-revenue, or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed Rs. 3,000.

3. In determining the eligibility of a landholder as elector, only land-revenue payable or nominally assessed on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

4. In the case of an elector qualified under rule 3 (*c*), the entry in column 6 shall be "Payment of income-tax" and shall not state the amount on which the tax is paid.

FORM II

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and under the District on the electoral roll of Muhammadans for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh for the Divisions.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of 19 and between the hours of and at the office of .

FORM III.

(*See rule 11.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh by the Muhammadan community in the and Divisions. The following ( ) candidates have been duly nominated :—

Serial No.	Names of Candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans for the election of a Member to the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh for the Divisions.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 12.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VI.

[*See Regu'ation II, sub-head (vi), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE UPPER INDIA CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (vi), shall be elected by the members of the Upper India Chamber of Commerce.

2. Any person, not ineligible for election under these Regulations, who resides, or carries on business, in the United Provinces of Agra and Oudh and is eligible for election as a member of the Committee of the Upper India Chamber of Commerce, shall be eligible for election.

3. The election shall be carried out in the manner prescribed in the Articles of Association of the said Chamber for the election of the Committee of the said Chamber, but shall not require confirmation at the annual general meeting of the Chamber.

4. Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by the said Committee in the manner prescribed in the Articles of Association of the Chamber for carrying resolutions or recording decisions upon questions of business brought before the Committee :

Provided that the decision of the Committee shall not be subject to the control of the Chamber in general meeting.

5. The result of the election shall be forthwith communicated by the said Chamber to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Enclosure no. 2 (4).

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE PUNJAB.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of the Punjab shall ordinarily consist of— **Number of Members.**

A.—Members elected by the classes specified in Regulation II, who shall be eight in number;

B.—Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed sixteen in number, and of whom not more than ten may be officials.

(2) In addition to the twenty-four Members above specified, the Lieutenant-Governor may, with the sanction of the Governor General, nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council:

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

II The eight elected Members specified in Regulation I shall be elected as follows, namely:— **Elected Members.**

(i) By the University of the Punjab	... 1 Member.
(ii) By the Municipal and Cantonment Committees	... 3 Members.
(iii) By the District Boards in the Punjab	... 3 Members.
(iv) By the Punjab Chamber of Commerce	... 1 Member.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules to these Regulations. **Electorates and electoral procedures.**

IV. No person shall be eligible for election as a Member of the Council, if such person— **Ineligible candidates.**

(*a*) is not a British subject, or

(*b*) is an official, or

(*c*) is a female, or

(*d*) has been adjudged by a competent Court to be of unsound mind, or

(*e*) is under twenty-five years of age, or

(*f*) is an uncertificated bankrupt or an undischarged insolvent, or

(*g*) has been dismissed from the Government service, or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*k*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in his opinion, be contrary to the public interests:

Provided that in cases (*g*), (*h*), (*i*) and (*k*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

V. No person shall be eligible for election under any sub-head of Regulation II, unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head. **Qualifications of candidates.**

VI. No person shall be qualified to vote at any election held under these Regulations if such person— **Disqualifications of voters.**

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of the Punjab, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant Governor considers reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Local Government, within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or, in his default, the Lieutenant-Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same

Term of office.

X. (1) Save as otherwise provided in these Regulations, the term of office of a Member shall be three years commencing from :—

(*a*) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election or, when the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs :

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of the Punjab shall be exercised only when eight or more Members of the Council are present.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected. Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election. Non-compliance with rules.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election. Disputes as to validity of elections.

(2) The Lieutenant-Governor shall, after such inquiry (if any) as he may consider necessary, declare by notification as aforesaid whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final. Finality of decisions.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions. First elections.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III*].

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF THE PUNJAB.

Preliminary.

1. " Returning Officer " means the Registrar of the University of the Punjab, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (i), shall be elected by the votes of the Members of the Senate and Honorary Fellows of the University of the Punjab having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post, on or before such date as may be appointed by the Local Government in this behalf, to each elector whose address in India has been registered at the office of the Returning Officer :

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the date and time appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

4-A (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid

(2) Where an elector subscribes two or more nomination papers, all such nomination papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI

Voting.

6. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India, whose address has been registered at the office of the Returning Officer, one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting

of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer:

Provided that, if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers except the one first received by the Returning Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and save as provided in rule 10 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given by the electors to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Lieutenant-Governor of the Punjab, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the sending of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 5;

(*c*) the sending of voting papers under rule 6;

(*d*) the recording of votes under rule 7; and

(*e*) the counting of votes under rule 10.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(*See rule 6.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the Punjab by the Members of the Senate and Honorary Fellows of the University of the Punjab. The following candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting papers shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of on the day of 19 at the

I hereby declare that I am a Member of the Senate (*or* an Honorary Fellow) of the University of the Punjab.

(Signed)

Fold on this line.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY MUNICIPAL AND CANTONMENT COMMITTEES IN THE PUNJAB.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the three Members specified in Regulation II, sub-head (ii), one shall be elected by the Members other than those appointed *ex officio* of each of the following groups of Municipal and Cantonment Committees, namely :—

I.—The Cis-Sutlej group, which shall consist of—

The Municipal Committee of Simla.
The Municipal Committee of Ambala.
The Cantonment Committee of Ambala.
The Municipal Committee of Ludhiana.
The Municipal Committee of Ferozepore.
The Cantonment Committee of Ferozepore.
The Municipal Committee of Hisar.
The Municipal Committee of Hansi.
The Municipal Committee of Bhiwani.
The Municipal Committee of Sirsa.
The Municipal Committee of Rohtak.
The Municipal Committee of Rewari.
The Municipal Committee of Karnal.
The Municipal Committee of Panipat.
The Municipal Committee of Jagraon.

II.—The Central Group, which shall consist of—

The Municipal Committee of Lahore.
The Cantonment Committee of Lahore.
The Municipal Committee of Amritsar.
The Municipal Committee of Jullundur.
The Cantonment Committee of Jullundur.
The Municipal Committee of Hoshiarpur.
The Municipal Committee of Kasur.
The Municipal Committee of Batala.
The Municipal Committee of Gujranwala.
The Municipal Committee of Wazirabad ; and

III.—The Western Group, which shall consist of—

The Municipal Committee of Multan.
The Cantonment Committee of Multan.
The Municipal Committee of Rawalpindi.

The Cantonment Committee of Rawalpindi.

The Municipal Committee of Sialkot.

The Cantonment Committee of Sialkot.

The Municipal Committee of Gujrat.

The Municipal Committee of Bhera.

The Municipal Committee of Jhelum.

The Municipal Committee of Jhang cum Maghiana.

The Municipal Committee of Chiniot.

The Municipal Committee of Lyallpur.

The Municipal Committee of Dera Ghazi Khan.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each group in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the said Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall, on the application of any person whose name appears on the said roll, or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations and having a place of residence in the group for which he seeks election may be nominated as a candidate for election if he is, or has served for at least three years as, a Member of a Municipal or Cantonment Committee belonging to that group.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation before 5 P.M. on the day appointed by the Local Government as the latest date in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7A. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe and shall communicate the withdrawal to the Attesting Officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers except the one first received by the Attesting Officer shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If in any group one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) On such date and at such time as may be appointed by the Local Government in this behalf, every elector desirous of recording his vote shall attend for the purpose at the office of the Attesting Officer.

(2) The Attesting Officer shall deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render his vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

11. (1) The Attesting Officer shall at the close of the day appointed for the attestation of voting papers despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such papers except the one first received by the Attesting Officer shall be deemed, to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse " rejected " with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 13 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Lieutenant-Governor of the Punjab, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3;

(*b*) the attestation of nomination papers under rule 6 ;

(*c*) the scrutiny of nomination papers under rule 8;

(*d*) the attestation of voting papers under rule 10 ; and

(*e*) the counting of votes under rule 13.

FORM I.

(See rule 3.)

ELECTORAL ROLL FOR THE $\frac{\text{CIS-SUTLEJ}}{\text{CENTRAL}}$ GROUP.

Serial No.	Name of Municipal or Cantonment Committee.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6
1					
2					
3					

FORM II.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of the Cis-Sutlej / Central / Western group.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. These not so attested shall be invalid.

2. They shall be presented for attestation not later than P.M., on the day of 19 at the office of .

FORM III.

(*See rule 10.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the Punjab by the electors of the group of Municipal and Cantonment Committees. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll for the group for the election of a Member to the Legislative Council of the Lieutenant-Governor of the Punjab.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector who is personally known to me (*or* who has bee identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 11).

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of Elector.	Address.

Attesting Officer.

"SCHEDULE III."

[*See Regulation II, sub-head (iii) and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY DISTRICT BOARDS IN THE PUNJAB.

Preliminary.

1. (1) "Attesting officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting officer under these rules, and includes any officer deputed for the time being by the Attesting officer to perform his duties; and

(2) "Returning officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the returning officer under these rules, and includes any officer deputed for the time being by the returning officer to perform his duties.

2. Of the three members specified in Regulation II, sub-head (*iii*), one shall be elected by the members other than those appointed *ex-officio* of each of the following Groups of district boards, namely:—

(I) The Cis-Sutlej Group, which shall consist of—

The district board of Hissar,
The district board of Rohtak,
The district board of Gurgaon,
The district board of Karnal,
The district board of Ambala,
The district board of Ludhiana,
The district board of Ferozepore;

(II) The Central Group, which shall consist of—

The district board of Kangra,
The district board of Hoshiarpur,
The district board of Jullundur,
The district board of Lahore,
The district board of Amritsar,
The district board of Gurdaspur,
The district board of Gujranwala,
The district board of Montgomery; and

(III) The Western Group, which shall consist of—

The district board of Sialkot,
The district board of Gujrat,
The district board of Shahpur,
The district board of Jhelum,
The district board of Rawalpindi,
The district board of Attock,
The district board of Mianwali,
The district board of Lyallpur,
The district board of Jhang,
The district board of Multan,
The district board of Muzaffargarh,
The district board of Dera Ghazi Khan.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each Group shall be published in Form I annexed to this Schedule by the Returning officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the said Gazette a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall, on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations and having a place of residence in the group for which he seeks election may be nominated as a candidate for election if he is, or has served for at least three years as, a member of a District Board belonging to that Group.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation before 5 p.m. on the day appointed by the Local Government as the latest day in this behalf, and, if the attesting officer is satisfied that the nominee is willing to stand for election, shall be attested by the attesting officer in the manner prescribed on the face of the form and without delay despatched by registered post to the returning officer.

7. Nomination papers which are not received by the returning officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. A (1). A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the returning officer not less than fourteen clear days before the date fixed for the recording of votes, or if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The returning officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the attesting officer who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the returning officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers all such nomination papers except the one first received by the attesting officer shall be deemed to be invalid and if the returning officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The returning officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules and may reject either of his own motion or on such objection, any nomination paper on such ground; the decision of the returning officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If in any Group one duly nominated candidate only stands for election, the returning officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election the Returning officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) On such date and at such time as may be appointed by the Local Government in this behalf, every elector desirous of recording his vote shall attend for the purpose at the office of the Attesting officer.

(2) The Attesting officer shall deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting officer in accordance with the instructions on the face thereof, and the Attesting officer shall attest his signature in the manner prescribed by the same instructions

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render his vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule the attesting officer shall assist him in such manner as may be necessary to mark the voting paper and sign the declaration on the back thereof.

11. (1) The Attesting officer shall at the close of the day appointed for the attestation of voting papers despatch all the envelopes so delivered to him to the Returning officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting officer shall also despatch to the Returning officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers the Returning officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers all such voting papers except the one first received by the attesting officer shall be deemed to be invalid and if the returning officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The returning officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and save as provided in rule 13 (4) on in Regulation XVI such rejection shall be final.

(4) The Returning officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules or to the rejection by the returning officer of any voting paper, it shall be decided at once by the returning officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of the votes has been completed, the Returning officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Lieutenant-Governor of the Punjab, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

17. The Local Government shall appoint and notify, in such manner as it thinks fit, such date, and, if necessary, such time and place, as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3 ;

(*b*) the attestation of nomination papers under rule 6 ;

(*c*) the scrutiny of nomination papers under rule 8;

(*d*) the attestation of voting papers under rule 10 ; and

(*e*) the counting of votes under rule 13.

FORM I.

[See rule 3.]

ELECTORAL ROLL FOR THE $\frac{\text{CIS-SUTLEJ}}{\text{CENTRAL}}{}_{\text{WESTERN}}$ GROUP OF THE DISTRICT BOARDS OF THE PUNJAB.

Serial No.	Name of District Board.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6
1					
2					
3					

FORM II.

[See rule 6.]

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of the $\frac{\text{Cis-Sutlej}}{\text{Central}}{}_{\text{Western}}$ Group of the District Boards of the Punjab.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting officer. Those not so attested shall be invalid.

2. They shall be presented for attestation not later than P.M. on the day of 19 at the office of .

FORM III.

[*See rule 10.*]

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of the Punjab by the electors of the Group of the District Boards of the Punjab. The following [ ] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of the Group of the electors of the District Boards of the Punjab for the election of a Member to the Legislative Council of the Lieutenant-Governor of the Punjab.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

[*See rul 1*·.]

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of Elector.	Address.

Attesting Officer.

SCHEDULE IV.

[See Regulation II, sub-head (iii), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER BY THE PUNJAB CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (*iii*), shall be elected by the Members of the Punjab Chamber of Commerce.

2. Any person not ineligible for election under these Regulations who is at the date of the election a Member of the said Chamber shall be eligible for election.

Provided that the Chairman of the Chamber is satisfied that such person is willing to stand for election.

3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the election shall be made by the Members in the manner laid down from time to time in the rules of the said Chamber for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the Chamber shall forthwith report the result of the election to the Secretary to the Legislative Council of the Lieutenant-Governor of the Punjab, and the name of the candidate elected shall be published in the local official Gazette.

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Enclosure no. 2 (5).

No. 67.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7. Ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant Governor of Burma, in supersession of the Regulations published under Notification No. 21 of the Government of India, in the Legislative Department, dated the 15th November, 1909.

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BURMA.

Number of Members.

I (1) The Members of the Legislative Council of the Lieutenant Governor of Burma shall ordinarily consist of—

A.—One Member elected under Regulation II;

B.—Fourteen Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, of whom not more than six may be officials; the rest shall be non-officials, of whom not less than four shall be selected from the Burmese population, and one from the Indian and one from the Chinese communities.

(2) In addition to the fifteen Members above specified, the Lieutenant-Governor may, with the sanction of the Governor General, nominate two more persons, whether officials or non-officials having expert knowledge of subjects connected with proposed or pending legislation to be Members of the Council:

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Member.

II. (1) The Member specified in head A of Regulation I shall be elected by the members of the Burma Chamber of Commerce, in accordance with the following procedure.

(2) Any person not ineligible for election under these Regulations who is at the date of the election a member of the said Chamber, shall be eligible for election.

(3) On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the said Chamber shall elect the Member aforesaid in such manner as a Commissioner for the Port of Rangoon is for the time being elected by the said Chamber, under section 7 of the Rangoon Port Act, 1905.

(4) The Chairman of the said Chamber shall forthwith report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Ineligible candidates.

III. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject; or

(*b*) is an official; or

(*c*) is a female; or

(*d*) has been adjudged by a competent Court to be of unsound mind; or

(*e*) is under twenty-five years of age; or

(*f*) is an uncertificated bankrupt or an undischarged insolvent; or

(*g*) has been dismissed from the Government service; or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned; or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority ; or

(*k*) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in his opinion, be contrary to the public interest :

Provided that in cases (*g*), (*h*), (*i*) and (*k*) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Oath of office.

IV. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Lieutenant-Governor of Burma, do solemnly swear (*or* affirm), that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

V. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation III, or fails to make the oath or affirmation prescribed by Regulation IV within such time as the Lieutenant-Governor considers reasonable,

the Lieutenant-Governor shall, by notification in the Burma Gazette, declare his election or nomination to be void, or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the Chamber to elect another person within such time as may be prescribed by such notification, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the Chamber.

Term of office.

VI (1) Save as otherwise provided in these Regulations the term of office of a Member shall be three years commencing from,—

(*a*) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election, or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs :

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years, or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

VII. (1) When a vacancy occurs in the case of the elected Member, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall appoint, by notification as aforesaid, a date from which the Chamber shall proceed in the manner prescribed to elect a person for the purpose of filling the vacancy.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy.

Failure to elect

VIII. If within two months from the date appointed under Regulation VII, the Chamber fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by the Chamber.

Quorum.

IX The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of Burma shall be exercised only at meetings at which six or more Members of the Council are present.

Corrupt practices

X. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give, or to refrain from giving, a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it has been committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Disputes as to validity of elections

XI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such inquiry (if any) as he may consider necessary, declare, by notification in the local official Gazette, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the said Chamber to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the Chamber fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by the Chamber.

Finality of decisions.

XII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the Burma Chamber of Commerce to elect a Member in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed the Chamber fails to elect, the Lieutenant-Governor may nominate at his discretion, for a period not exceeding six months, any person who is eligible for election by the Chamber.

Enclosure no. 2 (6).

Simla, the 21st November, 1912.

No. 65.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, Ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor of Fort William in Bengal.

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT WILLIAM IN BENGAL.

Number of Members.

I. (1) The Additional Members of the Legislative Council of the Governor of Fort William in Bengal shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II. who shall be twenty-eight in number;

B.—Members nominated by the Governor, who shall not exceed twenty in number, and of whom—

(*a*) not more than sixteen may be officials, and

(*b*) two shall be non-official persons to be selected,

(i) one from the Indian commercial community, and

(ii) one from the European commercial community, exclusive of the tea-planting community, and carrying on business outside Calcutta as defined by or under the Calcutta Municipal Act, 1899, and outside the Municipality of Chittagong.

(2) In addition to the forty-eight Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council:

Elected Members.

II. The twenty-eight elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the Corporation of Calcutta... ...	... 1 Member.
(ii) By the University of Calcutta	... 1 Member.
(iii) By Municipal Commissioners of certain Municipalities specified in Schedule III	... 5 Members.
(iv) By District Boards and Local Boards ...	... 5 Members.
(v) By the Landholders of the Presidency, Burdwan, Rajshahi and Dacca Divisions ...	... 4 Members.
(vi) By the Municipal Commissioners of Municipalities in the Chittagong Division and the landholders of the Chittagong Division, alternately ...	... 1 Member.
(vii) By the Muhammadan community ...	... 5 Members.
(viii) By the Bengal Chamber of Commerce ...	... 2 Members.
(ix) By the Calcutta Trades Association ...	... 1 Member.
(x) By the Commissioners of the Port of Chittagong	... 1 Member.
(xi) By certain Commissioners of the Corporation of Calcutta	1 Member.
(xii) By the Tea-planting community ...	... 1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is an official, or

(*c*) is a female, or

(*d*) has been adjudged by a competent Court to be of unsound mind, or

(*e*) is under twenty-five years of age, or

(*f*) is an uncertificated bankrupt or an undischarged insolvent, or

(*g*) has been dismissed from the Government service, or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*k*) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest :

Provided that in cases (*g*), (*h*), (*i*) and (*k*) the disqualification may be removed by an order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person,—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ an Additional Member of the Legislative Council of the Governor of Fort William in Bengal, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

(*a*) not being eligible for election is elected under these Regulations, or

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable,

the Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Government of Bengal, within seven days from the date of the publication of the

result of such elections in the local official Gazette, choose, or in his default the Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office

X. (1) Save as otherwise provided in these Regulations the term of office of an Additional Member shall be three years commencing from—

(*a*) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election, or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy:

Provided that when a casual vacancy occurs,—

(*a*) in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member;

(*b*) in the case of a Member nominated as representing any class specified in Regulation I, sub-head B, clause (*b*), the person nominated shall be selected from the same class.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor of Fort William in Bengal shall be exercised only at meetings at which ten or more Additional Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(*i*) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(*ii*) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A " promise of individual profit " includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such inquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE CORPORATION OF CALCUTTA.

1. The Member specified in Regulation II, sub-head (i), shall be elected in accordance with the procedure hereinafter prescribed by the Commissioners of the Corporation of Calcutta, who are not disqualified from voting.

2. (1) On or before such date as may be appointed by the Local Government in this behalf, a special meeting of the Corporation shall be convened by the Chairman of the Corporation for the purpose of the election.

(2) Not less than fourteen clear days before the date fixed for such meeting, the Chairman shall send to each Commissioner a written notice informing him of the time and place fixed for such meeting.

3. (1) Any person not ineligible for election under these Regulations, who is a Commissioner of the Corporation, may be nominated as a candidate for election :

Provided that the Chairman is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in the Form annexed to this Schedule, which shall be supplied by the Chairman to every Commissioner applying for the same.

(3) Each nomination paper shall be subscribed by two Commissioners as proposer and seconder :

Provided that no Commissioner shall subscribe more than one nomination paper.

4. (1) Where a Commissioner subscribes two or more nomination papers, all such nomination papers, except the one first received by the Chairman, shall be deemed to be invalid, and if the Chairman is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(2) Nomination papers which are not received by the Chairman at least seven clear days before the date fixed for the meeting shall be rejected.

(3) The Chairman shall prepare a list containing the names and addresses of all candidates in respect of whom nomination papers have been received by him as aforesaid, and shall cause such list to be posted in a conspicuous place at his office.

5. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Chairman before the date fixed for the meeting for the election.

(2) The Chairman shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

6. (1) At the meeting at which the election is held, the Chairman shall read out the names of all nominated candidates, and shall allow the candidates present to examine the nomination papers which have been received by him as aforesaid.

(2) The Chairman shall then examine the nomination papers and decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or

on such objection, any nomination paper on such ground; the decision of the Chairman shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

7. (1) If one duly nominated candidate only stands for election, the Chairman shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Chairman shall read out their names, and the Commissioners present shall thereupon proceed to make the election.

8. (1) The voting shall be by ballot, and each Commissioner shall have one vote only.

(2) If an objection is made to any vote on the ground that it is invalid, it shall be decided at once by the Chairman whose decision shall be final, save as provided in Regulations VIII and XVI.

9. When the counting of the votes has been completed by the Chairman, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

10. Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Chairman and in such manner as he may determine.

11. The Chairman shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

12. Any of the functions assigned to the Chairman of the Corporation under this Schedule may be delegated by him to the Vice-Chairman or Deputy Chairman.

FORM.

NOMINATION PAPER.

(*See rule 3.*)

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Instruction.

Nomination papers which are not received by the Chairman before the day of 19 shall be rejected.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE UNIVERSITY OF CALCUTTA.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Calcutta, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of persons (hereinafter referred to as electors) who are members of the Senate or Honorary Fellows of the University of Calcutta having a place of residence in India.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer :

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4 Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

5. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting papers the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

6. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final, save as provided in Regulations VIII and XVI.

Voting.

7. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India, whose address has been registered at the office of the Returning Officer, one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

8 On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer:

Provided that, if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

9. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid and, if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 11 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the sending of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 6;

(*c*) the sending of voting papers under rule 7;

(*d*) the recording of votes under rule 8; and

(*e*) the counting of votes under rule 11.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 7.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the Members of the Senate and Honorary Fellows of the University of Calcutta. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.

6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the .

I hereby declare that I am a Member of the Senate (*or* an Honorary Fellow) of the University of Calcutta.

(*Signed.*)

(*Fold on this line.*)

SCHEDULE III.

[See Regulation II, sub-heads (iii) and (vi), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPAL COMMISSIONERS.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) The Local Government shall notify from time to time in the local official Gazette all Municipalties, outside Calcutta as defined by or under the Calcutta Municipal Act, 1899, which have a local income amounting to not less than five thousand rupees per annum.

Explanation.—For the purpose of these rules, " local income " means the total income of a Municipality excluding the opening balance of the municipal fund, grants and contributions, and receipts under the Account Heads " Extra-ordinary " and " Debt."

(2) Any Municipality in regard to which a notification under sub-rule (1) is for the time being in force shall for the purposes of this Schedule be a " notified Municipality."

3. (1) Of the five Members specified in Regulation II, sub-head (iii),—

(*a*) one shall be elected by the Commissioners of notified Municipalities in each of the following four Divisions, namely, the Presidency, Burdwan, Rajshahi and Dacca Divisions ; and

(*b*) one shall be elected, at the first, third and succeeding alternate elections, by the Commissioners of notified Municipalities in the Presidency Division, and, at the second, fourth and succeeding alternate elections, by the Commissioners of notified Municipalities in the Burdwan Division.

(2) At the first, third and succeeding alternate elections. the Member specified in Regulation II, sub-head (vi), shall be elected by the Commissioners of notified Municipalities in the Chittagong Division.

Explanation.—The expression " alternate elections " shall not be deemed to include elections to fill casual vacancies.

4. (1) The number of votes assigned to each Municipality shall be determined in accordance with the following scale, namely :—

			Rs.		Rs.		
Municipalities with a local income of		...	5,000	and less than	10,000	1	vote.
Ditto	ditto	...	10,000	ditto	20,000	2	votes.
Ditto	ditto	...	20,000	ditto	50,000	3	,,
Ditto	ditto	...	50,000	ditto	80,000	4	,,

and for every additional Rs. 30,000 or part thereof in excess of Rs. 80,000 1 vote.

(2) The number of voter to which each Municipality is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

5. (1) To determine the candidate to whom, or, where two Members are to be elected for the Division concerned, the two candidates to each of whom, the votes assigned to each Municipality in accordance with rule 4 shall be given, an election shall be held, in the manner hereinafter prescribed, by the Commissioners qualified to vote, other than officials appointed by name or *ex-officio*, of each of the notified Municipalities in each of the said Divisions.

(2) No such Commissioner shall have in any one Division more votes than the number of Members to be elected for the Division.

(3) The candidate or each of the two candidates, according as one or two Members are to be elected for the Division, to whom the largest number of votes is given by the Commissioners at any such election, shall be deemed to have obtained the number of votes so assigned to the Municipality in which such election has been held.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations, who has a place of residence in the Division for the representation of the Municipalities in which he is a candidate and such practical connection with that Division as qualifies him to represent it, may be nominated as a candidate for election if he is, or has for any period aggregating three years been, a Commissioner of any Municipality situated in the Division.

(2) Every nomination shall be made by means of a nomination paper in Form 1 annexed to this Schedule which shall be supplied by the Attesting Officer to any Commissioner mentioned in rule 5 (1) who may ask for the same.

(3) Every nomination paper shall be subscribed by two such Commissioners of any Municipality in the Division as proposer and seconder:

Provided that no Commissioner shall subscribe more nomination papers than the number of Members to be elected for the Division.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected

7 (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of the Commissioners, or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of the Commissioners is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe and shall communicate the withdrawal to all the Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8 (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer, and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine all nomination papers which have been received by him as aforesaid.

(2) Where a Commissioner subscribes more nomination papers than he is entitled to do under rule 6, all such nomination papers, except the one first received by the Attesting Officer, and, if two Members are to be elected, except

also the one received by him next after the one first received, shall be deemed to be invalid and if the Returning Officer is unable to determine which of such nomination papers was so received, all such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If in any Division the number of duly nominated candidates who stand for election does not exceed the number of Members to be elected for the Division, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of duly nominated candidates who stand for election exceeds the number of Members to be elected for the Division, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

10. (1) On the date and at the time which the Local Government may appoint in this behalf, the Commissioners mentioned in rule 5 (1) of each notified Municipality in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each such Commissioner present one voting paper, in Form II, annexed to this Schedule, and such Commissioners shall thereupon proceed to record their votes.

(3) Each Commissioner shall write on the voting paper the name of the candidate or candidates whom he wishes to be elected, and shall mark his vote on the voting paper in the manner prescribed thereon and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer :

Provided that, if a Commissioner is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

11. (1) No Commissioner shall record his vote on more than one voting paper.

(2) Where a Commissioner records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

12. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 13 shall be rejected.

Counting of votes and declaration of result.

13 (1) On receiving the voting papers referred to in rule 12, the Returning Officer shall attend for the purpose of examining them on such date

and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse " rejected " on any voting paper which he may reject and mark " discarded " against any vote which he may discard on the ground that it is invalid under these rules, and shall endorse on the voting paper the grounds for such rejection or discarding ; and, save as provided in sub-rule (5) or in Regulation XVI, such rejection or discarding shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the Commissioner, and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub-rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper or vote on the ground that it is not valid under these rules, or to the rejection or discarding by the Returning Officer of any voting paper or vote, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate or, where two Members are to be elected, the two candidates, who has or have obtained the number of votes assigned to the Municipality, and enter in Form III annexed to this Schedule the name or names of such candidate or candidates :

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be so declared, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate or of each of the candidates entered by him therein the number of votes to which the Municipality is entitled under rule 4 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name or names of the candidate or candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 6 ;

(*b*) the scrutiny of nomination papers under rule 8 ;

(*c*) the meeting of the Commissioners of the Municipalities in any Division under rule 10 ;

(*d*) the examination of voting papers and the counting of votes under rule 13.

FORM I.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as Municipal Commissioners other than officials appointed by name or *ex-officio*, of the Municipality (or Municipalities) of in the Division.

Attesting Officer.

(*Official designation.*)

Dated the

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 , and between the hours of and .

FORM II.

(See rule 10.)

VOTING PAPER.

$\frac{\text{One}}{\text{Two}}$ Additional Member (*or* Members) $\frac{\text{is}}{\text{are}}$ to be elected to the Legislative Council of the Governor of Fort William in Bengal by the Commissioners of the Municipalities in the Division.

The Municipality.

Serial No.	Name of candidate.	Vote.

Instructions.

1. Each Commissioner shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each Commissioner has one or two votes according as one or two Members are to be elected.

3. If a Commissioner has two votes, he may give both his votes to one candidate.

4. He shall vote by placing, or causing to be placed, the mark ×, or the marks ××, opposite the name of the candidate (*or* candidates) to whom he desires to give his vote or votes.

5. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of Members to be elected.

6. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

7. The Commissioner shall sign the voting paper at the place indicated on the back, and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

(*Fold on this line.*)

(*Signature of Commissioner.*)

FORM III.

(*See rule 13.*)

RESULT OF ELECTION BY THE COMMISSIONERS OF THE MUNICIPALITY.

The vote/votes of the Municipality has/have been given to the undermentioned candidate or candidates at the meeting of the Commissioners held on the day of , 19 .

Names of candidates.	Number of votes.

Returning Officer

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE DISTRICT BOARDS AND LOCAL BOARDS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the five Members specified in Regulation II, sub-head (iv), one shall be elected by the District Boards and Local Boards of each of the following five Divisions, namely, the Presidency, Burdwan, Rajshahi, Dacca and Chittagong Divisions.

3. (1) The number of votes assigned jointly to the District Board and the Local Boards in each district shall be determined in accordance with the following scale :—

District Boards with an annual income (exclusive of opening balances and receipts from loans)	not exceeding	Rs. 75,000	... 1 vote.
Ditto ditto ...	exceeding 75,000 but less than	1,25,000	... 2 votes.
and for every additional Rs. 50,000 or part thereof in excess of		1,25,000	... 1 vote.

(2) The number of votes to which the District Board and the Local Boards in each district are jointly entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

4. (1) To determine the candidate to whom the votes jointly assigned to the District Board and Local Boards in each district in accordance with rule 3 shall be given, an election shall be held, in the manner hereinafter prescribed, by the persons (hereinafter referred to as electors) who are members, other than officials appointed by name or *ex-officio*, of the District Board and Local Boards of each district of the said Divisions and are qualified to vote.

(2) No elector shall have more than one vote in any one Division.

(3) The candidate to whom the largest number of votes is given by the electors at any such election shall be deemed to have obtained the number of votes so assigned jointly to the District Board and Local Boards holding such election.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Division for the representation of the District Boards and Local Boards of which he is a candidate and such practical connection with that Division as qualifies him to represent it may be nominated as a candidate for election, if he is or has for any period aggregating three years been a member of any District Board within the Division concerned.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector who may ask for the same.

(3) Every nomination paper shall be subscribed by two electors in the Division as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by that Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer on or before the date and time appointed for the scrutiny of nomination papers shall be rejected.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of electors or if the period between the dates fixed for the scrutiny of nomination papers and the meeting of electors is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to all the Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

8. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

9. (1) On the date and at the time which the Local Government may appoint in this behalf, the electors of each District in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each elector present one voting paper, in Form II annexed to this Schedule, and such electors shall thereupon proceed to record their votes.

(3) Each elector shall vote by writing on the voting paper the name of the candidate whom he wishes to be elected, and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer :

Provided that if an elector is unable to read or write or is by reason of blindness, or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

10. (1) No elector shall record his vote on more than one voting paper.

(2) Where an elector records his vote on two or more voting papers, all such papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

11. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 12 shall be rejected.

Counting of votes and declaration of result.

12 (1) On receiving the voting papers referred to in rule 11, the Returning Officer shall attend for the purpose of examining them on such date and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse "rejected," with the grounds for such rejection, on any such voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in sub-rule (5) or in Regulation XVI, such rejection shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub-rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper on the ground that it is not valid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate who has obtained the number of votes assigned jointly to the District Board and Local Boards of the district concerned, and enter in Form III annexed to this Schedule the name of such candidate :

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be so

declared, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate entered therein under sub-rule (7) the number of votes to which the District Board and Local Boards of the district are jointly entitled under rule 3 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 5 ;

(*b*) the scrutiny of nomination papers under rule 7 ;

(*c*) the meeting of electors in any Division under rule 9 ; and

(*d*) the examination of voting papers and the counting of votes under rule 12.

FORM I.

(*See rule 5.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as members of the District Board (*or* Boards) of [*or* the Local Board (*or* Boards) of], other than officials appointed by name or *ex-officio*, in the Division.

Attesting Officer.

(*Official designation.*)

Dated the

Instructions.

1. Nomination papers shall be attested by the Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 and between the hours of and

FORM II.

(*See rule 9.*)

VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the District Boards and Local Boards in the Division.

The District Board and Local Boards of the District.

Name of candidate.

Instructions.

1. Each elector shall vote by entering the name of the candidate to whom he desires to give his vote.

2. Each elector has one vote.

3. The voting paper shall be invalid if more votes than one are recorded on it.

4. The elector shall sign the voting paper at the place indicated on the back, and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

(*Fold on this line.*)

Signature of elector.

FORM III.

(See rule 12.)

RESULT OF ELECTION BY THE DISTRICT BOARD AND LOCAL BOARDS OF THE DISTRICT.

The vote/votes of the District Board and Local Boards of the District has/have been given to the undermentioned candidate at the meeting of the electors held on the day of , 19 .

Name of candidate.	Number of votes.

Returning Officer.

SCHEDULE V.

[*See Regulation II, sub-heads (v) and (vi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE LANDHOLDERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Calcutta" means the Presidency-town of Calcutta.

(3) The Chittagong Division shall be deemed not to include the Chittagong hill-tracts.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) Of the four Members specified in Regulation II, sub-head (v), one shall be elected by landholders in each of the Presidency, Burdwan, Rajshahi and Dacca Divisions.

(2) At the second, fourth and succeeding alternate elections, the Member specified in Regulation II, sub-head (vi), shall be elected by landholders in the Chittagong Division.

Explanation.—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

Qualifications of electors.

3. The election shall be made by landholders qualified to vote and having a place of residence within the Division concerned who—

(*a*) in the case of the Presidency and Burdwan Divisions, hold in their own right, as proprietors, one or more estates or shares of estates and pay in respect thereof land-revenue amounting to not less than six thousand rupees or road and public works cesses amounting to not less than one thousand five hundred rupees per annum ; or

(*b*) in the case of the Rajshahi, Dacca or Chittagong Division, hold in their own right one or more estates or shares of estates as proprietors, or one or more permanent tenures or shares of such tenures held direct from such proprietors and pay in respect thereof land-revenue amounting to not less than three thousand rupees or road and public works cesses amounting to not less than seven hundred and fifty rupees per annum ; or

(*c*) before the date of this Notification held titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab :

Provided that no landholder shall have more than one vote in any one Division though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll of landholders qualified under rule 3 (hereinafter referred to as electors) for each Division in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any landholder whose name does not appear in any such draft and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if such landholder or person resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll for any Division in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in such Division, and, in the case of the Presidency Division, also at the office of the Chief Presidency Magistrate.

5. In determining the eligibility of a landholder under rule 3, clauses (*a*) and (*b*), to have his name entered on the electoral roll for any Division—

(*a*) only such estates and shares of estates as are held by him, whether in one or more Divisions, in his own right and not in a fiduciary capacity, and are registered in his own name in registers maintained under the Land Registration Act, 1876, shall be taken into account;

(*b*) in the case of the Rajshahi, Dacca and Chittagong Divisions, only such tenures and shares of tenures as are held by him as owner in his own right, and not in a fiduciary capacity, shall be taken into account;

(*c*) if the amount of revenue and road or public works cesses paid by a landholder in respect of any such share of an estate or tenure is not definitely known, the District Officer of the District in which such estate or tenure is situated shall estimate the amount so paid in respect of such shares, and his decision shall be final; and

(*d*) if a landholder pays land-revenue or cesses in two or more Divisions and his payments in none of such Divisions reach the amount prescribed for that Division, his payments within all the Divisions shall be aggregated and, if such aggregate equals or exceeds the amount prescribed for the Division in which he makes the largest payment, he shall be entitled to be entered in the electoral roll for that Division; provided that where any such payment is made in respect of permanent tenures or shares of such tenures he shall be entered in the electoral roll for the Division, excluding the Presidency and Burdwan Divisions, in which he makes the largest payment, if the aggregate aforesaid equals or exceeds the amount prescribed for that Division.

6. The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral rolls.

7. (1) The electoral rolls published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on any of the said electoral rolls and who claims to have his name included therein, and any person who objects to the entry of any name in any such roll, may, within fifteen days after the publication of the notification under the last sub-rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if such landholder or person resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

8. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election in the Division in which he is qualified as an elector.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or any District Magistrate to any elector in that Division applying for the same.

(3) Every nomination paper shall be subscribed by two electors in the Division as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

9. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

10. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to

examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid. and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

11. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of the names of such candidates in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send by registered post to each elector one such voting paper:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 13 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14 (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the esult of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

17 The Local Government shall appoint and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of drafts and electoral rolls under rule 4 ;
(*b*) the revision of electoral rolls under rule 7 ;
(*c*) the attestation of nomination papers under rule 8 ;
(*d*) the scrutiny of nomination papers under rule 10 ;
(*e*) the sending of voting papers under rule 11 ;
(*f*) the attestation of voting papers under rule 11 ; and
(*g*) the counting of votes under rule 13.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF LANDHOLDERS FOR THE DIVISIONS.

Serial No.	District.	Name of elector.	Father's name.	Address of elector.	Qualification.
1	2	3	4	5	6

FORM II.

(*See rule 8.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Landholders for the Division.

Attesting Officer.

Dated the (*Official designation.*)

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 , and between the hours of and .

FORM III.

(*See rule 11.*)

VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the landholders of the Division. The following ( ) candidates have been duly nominated.

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked, the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer in an envelope on or before the day of 19 , and between the hours of and

I hereby declare that I am the person whose name appears as No. on the electoral roll of Landholders for the Division.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

Dated the (*Official designation.*)

FORM IV.

(See rule 11.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Father's name.	Address.
1	2	3	4

Attesting Officer.
(Official designation.)

Dated the

SCHEDULE VI.

[*See Regulation II, sub-head (vii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Calcutta" means the Presidency-town of Calcutta.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the five Members specified in Regulation II, sub-head (vii), one Member shall be elected for each of the following five electoral areas, namely:—

I. The Presidency Division;
II. The Burdwan Division;
III. The Rajshahi Division;
IV. The Dacca Division;
V. The Chittagong Division (excluding the Chittagong Hill-tracts).

Qualifications of electors.

3. The election shall be made by the votes of Muhammadans qualified to vote and having a place of residence in the electoral area concerned, who—

(*a*) hold a title recognised or conferred by the Government or are members of the Order of the Star of India or the Order of the Indian Empire, or hold a Kaisar-i-Hind Medal; or

(*b*) are Ordinary or Honorary Fellows of the University of Calcutta; or

(*c*) are Honorary Magistrates; or

(*d*) are in the service of Government on a salary of rupees two thousand or more per annum; or

(*e*) are Barristers-at-law, Attorneys at law, Vakils, or Pleaders; or

(*f*) are graduates of any University or Institution recognised by the Government in the United Kingdom or British India; or

(*g*) are licentiates or diploma holders in Surgery or Medicine of any University or Institution, recognised by the Government in the United Kingdom or British India; or

(*h*) (i) are licentiates in engineering of any University recognised by the Government in the United Kingdom or British India; or

(ii) have passed the examination appointed by the Council of the Institute of Civil Engineers, London, for candidates for Associate Membership of that Institute, or any examination recognised by the said Council as exempting such candidates from the examination first mentioned; or

(*i*) (i) in the case of the Presidency and Burdwan Divisions, are teachers in any institution maintained or aided by the Government or affiliated to or recognised by the University of Calcutta or recognised by the Director of Public Instruction:

Provided that such teachers are not less than thirty years of age and receive a monthly salary of not less than fifty rupees in Calcutta, or not less than twenty-five rupees in any place other than Calcutta; or

(ii) in the case of the Rajshahi, Dacca and Chittagong Divisions, are teachers in any high school recognised by the University of

Corrigendum.—Page 235, line 1. For the words "by any college" and "by any Madrassa", *read* "in any college" and "in any Madrassa".

(Notification no. 75, dated 13th December 1912.)

to not less than one hundred and twenty-five rupees per annum or road and public works cesses amounting to not less than thirty-one rupees four annas, per annum ; or

(ii) in the Rajshahi, Dacca or Chittagong Division, land-revenue amounting to not less than one hundred rupees per annum or road and public works cesses amounting to not less than fifty rupees per annum ; or

(*l*) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than three thousand rupees in Calcutta, two thousand rupees in other parts of the Presidency Division, or in the Burdwan Division, or one thousand rupees in the Rajshahi, Dacca or Chittagong Division ; or

(*m*) are in receipt of pensions from the Government as gazetted or commissioned officers of Government or of not less than fifty rupees per mensem :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described ; and if an elector is entitled to vote in any one of two or more Divisions, he may, by intimation in writing given to the Returning Officer not later than such date as the Local Government may prescribe, choose, or in his default, if intimation of such default is given to the Returning Officer or to the Local Government by any other elector within sufficient time to admit of orders being passed, the Local Government shall fix the Division in which he shall vote, and his name shall be entered in the electoral roll for that Division only.

Explanation.—For the purposes of this rule—

(1) in determining the eligibility of a landholder as an elector, only land-revenue or road and public works cesses payable in respect of his own personal share shall be taken into account, and

(2) "holder in his own right" shall include a *mutawalli* or manager of a wakf estate, but shall not include a trustee or manager of an estate other than a wakf estate.

Electoral rolls.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll for each electoral area in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any Muhammadan whose name does not appear in any such draft and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub-rule (1) of this rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if he resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the said roll for any electoral area in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in such electoral area and, in the case of the Presidency Division, also at the office of the Chief Presidency Magistrate,

(6) The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral rolls.

5. (1) The electoral rolls published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate, so far as the roll relates to his district, and the Chief Presidency Magistrate, so far as such roll relates to Calcutta, may of his own motion, and shall on the application of any Muhammadan whose name does not appear on any such roll and who claims to have his name inserted therein, or of any person who objects to the entry of any name therein, revise the said roll.

(3) On such revision the District Magistrate or Chief Presidency Magistrate after making such inquiry and hearing such persons as he may consider necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate or Chief Presidency Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

6. (1) Any Muhammadan not ineligible for election under these Regulations whose name is on the electoral roll for the electoral area concerned may be nominated as a candidate for election if he has a place of residence in the electoral area for which he is a candidate.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or by a District Magistrate to any elector applying for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before such date and at such time as may be appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If in any electoral area one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of the names of such candidates in such manner as the Local Government may prescribe.

(3) In the case referred to in sub-rule (2), the Returning Officer shall forthwith cause the names of the candidates to be entered in voting papers in Form III annexed to this Schedule, and shall sign and send to each elector by registered post one such voting paper:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

10. (1) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(2) The elector shall then proceed to a place screened from observation which shall be provided by the Attesting Officer and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(3) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(4) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(5) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him under sub-rule (2) to the Returning Officer by registered post in a packet securely sealed with his official seal.

(6) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 12 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of drafts and electoral rolls under rule 4 ;

(*b*) the revision of electoral rolls under rule 5 ;

(*c*) the attestation of nomination papers under rule 6;

(*d*) the scrutiny of nomination papers under rule 8 ;

(*e*) the attestation of voting papers under rule 10 ; and

(*f*) the counting of votes under rule 12.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS FOR ELECTORAL AREA $\frac{\text{I}}{\text{II}}$ $\frac{\text{III}}{\text{IV}}$ $\frac{}{\text{V}}$.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence on the day of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Muhammadans for electoral area No. .

Dated the

Attesting Officer.

(*Official designation.*)

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation at on or before the day of and between the hours of and .

3. Nomination papers which are not received by the Returning Officer before the hour of on the day of 19 shall be rejected.

FORM III.

(*See rule 9.*)

An Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the Muhammadan community in electoral area No. .

The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of an Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer, enclosed in the envelopes to be supplied to the electors for the purpose, on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans for electoral area No.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Dated the *Attesting Officer.*

(*Official designation.*)

FORM IV.

(See rule 10.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector	Address.

Dated the

Attesting Officer.
(Official designation.)

SCHEDULE VII.

[*See Regulation II, sub-head (viii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE BENGAL CHAMBER OF COMMERCE.

Preliminary.

1. "Returning Officer" means the Secretary to the Bengal Chamber of Commerce, and includes any officer of the Chamber deputed for the time being by the Secretary to perform his duties under these rules.

Qualifications of electors.

2. (1) The two Members specified in Regulation II, sub-head (viii), shall be elected by the votes of persons qualified to vote, who—

(*a*) are permanent members of the Bengal Chamber of Commerce, or

(*b*) are entitled to exercise the rights and privileges of permanent membership of the said Chamber on behalf, and in the name, of any firm or Joint-Stock Company or other Corporation,

and who have a place of residence in India (hereinafter referred to as "electors").

(2) An elector shall have one or two votes according as one or two Members are to be elected

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by an elector by a separate letter sent to the Returning Officer.

(3) No elector shall subscribe more nomination letters than the number of Members to be elected.

(4) Where an elector subscribes more nomination letters than he is entitled to do under sub-rule (3), all such nomination letters, except the one first received by the Returning Officer, and, if two Members are to be elected except also the one received by him next after the one first received, shall be rejected, and if the Returning Officer is unable to determine which of such nomination letters was so received, all such letters shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the counting of votes.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Returning Officer may think fit, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Voting.

5. (1) If the number of duly nominated candidates who stand for election does not exceed the number of candidates to be elected, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of duly nominated candidates who stand for election exceeds the number of candidates to be elected, the Returning Officer shall send to each elector a list of such candidates and one voting paper.

6. Any elector may send his voting paper to the Returning Officer after recording his vote thereon :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

7. (1) On receiving the voting papers, the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it is invalid under these rules, and shall endorse on the voting paper the grounds for such rejection or discarding ; and, save as provided in rule 8 (3) or in Regulation XVI, such rejection or discarding shall be final.

8. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorized by him in writing, to watch the process of counting.

(3) If an objection is made to any voting paper or vote on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper or the discarding by him of any vote, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(4) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

9. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of the votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

10. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

11. The Returning Officer shall without delay report the result of the election to the Local Government, and the name or names of the candidate or candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

12. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination letters under rule 3 (2) ;

(*b*) the sending of lists and voting papers under rule 5 (2) ;

(*c*) the sending of voting papers under rule 6 ; and

(*d*) the counting of votes under rule 8.

SCHEDULE VIII.

[*See Regulation II, sub-head (ix), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE CALCUTTA TRADES ASSOCIATION.

Preliminary.

1. The Member specified in Regulation II, sub-head (ix), shall be elected by the Calcutta Trades Association in accordance with the procedure hereinafter prescribed.

Qualifications of electors.

2. The election shall be made by the votes of members of the Calcutta Trades Association which may be given—

(*a*) by any proprietor of, or partner in, any firm which is a member of the said Association, or

(*b*) in the absence of such proprietor or partner from Calcutta, by any person empowered to sign for such firm, or

(*c*) by any director, manager or secretary of any joint stock company which is a member of the said Association,

who is qualified to vote and has a place of residence in India.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a general meeting of the Association shall be convened by the Master for the purpose of the election.

(2) Not less than fourteen clear days before the date fixed for such meeting, the Master shall send to each member of the Association a written notice informing such member of the time and place fixed for such meeting.

Qualifications and nomination of candidates.

4. (1) Any person, not ineligible for election under these Regulations, who belongs to one of the classes of persons referred to in rule 2 and has served for a period of at least two years on the Commitee of the Association, may be nominated as a candidate for election : provided that the Master is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by means of a nomination paper in the Form annexed to this Schedule, which shall be forwarded by the Master to every member of the Association, with the written notice convening the meeting at which the election is to be made.

(3) Each nomination paper shall be subscribed by two persons, of the classes referred to in rule 2, as proposer and seconder.

(4) No such person shall subscribe more than one nomination paper.

5. (1) Where any such person subscribes two or more nomination papers, all such nomination papers, except the one first received by the Master, shall be deemed to be invalid, and if the Master is unable to determine which of such nomination papers was received first, both or all of such papers shall be deemed to be invalid.

(2) Nomination papers which are not received by the Master at least seven clear days before the date fixed for the meeting shall be rejected.

(3) The Master shall prepare a list of all candidates in respect of whom he has received nomination papers as aforesaid, and shall cause such list to be posted in a conspicuous place at the office of the Association.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Master before the date fixed for the meeting for election.

(2) The Master shall forthwith notify the withdrawal of any candidate in such manner as he thinks fit, and shall remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Voting and declaration of result.

7. (1) At the meeting at which the election is held the Master shall read out the names of all nominated candidates and shall allow the persons referred to in rule 2 who are present at the meeting to examine the nomination papers which have been received by him as aforesaid.

(2) The Master shall then examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Master shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

8. (1) If one duly nominated candidate only stands for election, the Master shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Master shall forthwith prepare a list of such candidates containing their names and addresses, and shall read out their names and the Association shall then proceed to make the election.

9. (1) The voting shall be by ballot, and each member of the Association shall have one vote only, which must be given personally by the person entitled to vote as provided in rule 2.

(2) If an objection is made to any vote on the ground that it is invalid under these rules, it shall be decided at once by the Master whose decision shall be final, save as provided in Regulations VIII and XVI.

10. When the counting of the votes has been completed by the Master, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

11. Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Master and in such manner as he may determine.

12. The Master shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

13. Any of the functions assigned to the Master under this Schedule may be delegated by him to any officer of the Association.

FORM.

(*See rule 4.*)

NOMINATION PAPER.

1. Name of candidate.

2. Age.

3. Address.

4. Signature of proposer.

5. Signature of seconder.

Instruction.

Nomination papers which are not received by the Master before the day of 19 shall be rejected.

SCHEDULE IX.

[*See Regulation II, sub-head (x), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY THE COMMISSIONERS OF THE PORT OF CHITTAGONG.

1. On or before such date as may be appointed by the Governor in this behalf, the Member specified in Regulation II, sub-head (x), shall be elected by the Commissioners of the Port of Chittagong.

2. Any person not ineligible for election under these Regulations may be elected.

3. The election shall be carried out in the manner prescribed in section 59 of the Chittagong Port Commissioners Act, 1887, for the decision of questions which come before the Commissioners.

4. The Chairman of the Commissioners shall forthwith report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE X.

[*See Regulation II, sub-head* (*xi*), *and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER BY CERTAIN COMMISSIONERS OF THE CORPORATION OF CALCUTTA.

Preliminary.

1. "Returning Officer" means the Chairman of the Corporation of Calcutta, and includes any officer of the Corporation deputed for the time being by the Chairman to perform his duties under these rules.

2. The Member specified in Regulation II, sub-head (xi), shall be elected in accordance with the procedure hereinafter prescribed by persons (hereinafter referred to as electors) who are Commissioners of the Corporation of Calcutta, other than those appointed by the Local Government, and are not disqualified from voting.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a special meeting of the electors shall be convened by the Returning Officer for the purpose of the election :

Provided that the meeting shall not be convened on the same date on which the meeting of the Corporation for the purpose of the election under Schedule I is convened under rule 2 (1) of that Schedule.

(2) Not less than fourteen clear days before the date fixed for such meeting the Returning Officer shall send to each elector a written notice informing him of the time and place fixed for such meeting.

Qualifications and nomination of candidates.

4. (1) Any person not ineligible for election under these Regulations, who has either resided for a period of at least twelve months immediately preceding the date appointed under rule 3 or maintained a permanent place of residence in Calcutta as defined by or under the Calcutta Municipal Act, 1899, may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in the Form annexed to this Schedule, which shall be supplied by the Returning Officer to every elector applying for the same.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers which are not received by the Returning Officer at least seven clear days before the date fixed for the meeting shall be rejected.

5. The Returning Officer shall prepare a list containing the names and addresses of all candidates in respect of whom nomination papers have been received by him as aforesaid, and shall cause such list to be posted in a conspicuous place at his office.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer before the date fixed for the meeting for the election.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

7. (1) On the date fixed for the meeting, but before such meeting, every candidate and his proposer and seconder may attend at the time and place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting and declaration of result.

8. (1) If one duly nominated candidate only stands for election, the Returning Officer shall at the meeting at which the election is held forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith read out their names and the electors present shall thereupon proceed to make the election.

9. (1) The voting shall be by ballot, and each elector shall have one vote only.

(2) If an objection is made to any vote on the ground that it is invalid, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

10. When the counting of the votes has been completed by the Returning Officer, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

11. Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. The Returning Officer shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

FORM.

NOMINATION PAPER.

(*See rule 4.*)

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be rejected.

SCHEDULE XI.

[*See Regulation II, sub-head (xii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE TEA PLANTING COMMUNITY.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (xii), shall be made by Managers of tea gardens in which the area under cultivation of tea is not less than one hundred acres and which are situated in the Presidency of Fort William in Bengal,

Explanation.—" Manager " means any person in charge of a tea garden by whatever name called.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any Manager of a tea garden whose name does not appear in any such draft and who claims to have his name included therein, and any person who objects to the entry of any name in such draft, may, within fifteen days after the publication of the draft under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which the tea garden is situated or such person resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of the District Magistrate of every district in which any of the tea gardens is situated.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rulea.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any Manager of a tea garden whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which the tea garden is situated or such person resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied to any elector asking for the same by the Returning Officer or the District Magistrate of the district in which such elector resides.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes ; or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the

ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, every elector desirous of recording his vote in the presence of an Attesting Officer shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer, and shall then proceed to a place screened from observation which shall be provided by the Attesting Officer and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(5) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(6) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(7) Any elector not desirous of recording his vote in the presence of an Attesting Officer, may send his voting paper by registered post to an Attesting Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Attesting Officer before the day appointed under sub-rule (4) shall be rejected.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the recording of votes, despatch all the envelopes so delivered to him to the Returning Officer by registered post, in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose votes have been recorded in his presence.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is

invalid under these rules, and, save as provided in rule 11 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the draft electoral roll and the electoral roll under rule 3;

(*b*) the revision of the electoral roll under rule 5;

(*c*) the attestation of nomination papers under rule 6;

(*d*) the scrutiny of nomination papers under rule 8;

(*e*) the sending of voting papers under rule 9;

(*f*) the recording of votes under rule 9 (4); and

(*g*) the counting of votes under rule 11.

FORM I.

(*See rule 3.*)

ELECTORAL ROLL OF MANAGERS OF TEA GARDENS IN THE PRESIDENCY OF FORT WILLIAM IN BENGAL.

Serial No.	District.	Name of elector.	Address of elector.	Qualification.
1	2	3	4	5

FORM II.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Age.

3. Address.

4. Signature of proposer.

5. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Managers of Tea Gardens in the Presidency of Fort William in Bengal.

Attesting Officer.

Dated the (*Official designation.*)

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation at on or before the day of 19 and between the hours of and .

FORM III.

(*See rule 9.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the Managers of tea gardens in the Presidency of Fort William in Bengal. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

5. Votes may be recorded in the presence of an Attesting Officer on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Managers of tea gardens in the Presidency of Fort William in Bengal.

(*Fold on this line.*)

Dated the

FORM IV.

(See rule 9.)

LIST OF THE ELECTORS WHOSE VOTES HAVE BEEN RECORDED BEFORE

The following is a list of all the electors whose votes have been recorded before me :—

Serial No.	Name of elector.	Father's name.	Address of elector.
1	2	3	4

Attesting Officer.

Dated the *(Official designation.)*

Enclosure no. 2 (7).

No. 66.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, Ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa.

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BIHAR AND ORISSA.

Number of Members.

I. (1) The Additional Members of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be twenty-one in number ;

B.—Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed nineteen in number, and of whom not more than fifteen may be officials.

(2) In addition to the forty Members above specified, the Lieutenant-Governor may, with the sanction of the Governor General, nominate one more person, whether official or non-official, having expert knowledge of subjects connected with proposed or pending legislation, to be a Member of the Council :

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The twenty-one elected Members specified in Regulation I shall be elected as follows, namely :—

(i) By the Municipal Commissioners	5	Members.
(ii) By the District Boards	5	Members.
(iii) By the Landholders	5	Members.
(iv) By the Muhammadan Community	4	Members.
(v) By the Mining Community	1	Member.
(vi) By the Planting Community	1	Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is an official, or

(*c*) is a female, or

(*d*) has been adjudged by a competent Court to be of unsound mind, or

(*e*) is under twenty-five years of age, or

(*f*) is an uncertificated bankrupt or an undischarged insolvent, or

(*g*) has been dismissed from the Government service, or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*k*) has been declared by the Lieutenant-Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Lieutenant-Governor in Council, be contrary to the public interest:

Provided that in cases (*g*), (*h*), (*i*) and (*k*) the disqualification may be removed by an order of the Lieutenant Governor in Council in this behalf.

Qualifications of candidates.

V No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ an Additional Member of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

(*a*) not being eligible for election is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor in Council may consider reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

IX (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Government of Bihar and Orissa, within seven days from the date of the publication of the result of such elections in the local official Gazette choose, or in his default, the Lieutenant-Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive. Candidates elected by several electorates.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as otherwise provided in these Regulations, the term of office of an Additional Member shall be three years commencing from, Term of office.

(*a*) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election, or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs :

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification. Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate. Failure to elect.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of Bihar and Orissa shall be exercised only at meetings at which ten or more Additional Members of the Council are present. Quorum.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected. Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor in Council shall, after such inquiry (if any) as he may consider necessary, declare by notification as aforesaid whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Lieutenant-Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPAL COMMISSIONERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) The Local Government shall notify from time to time in the local official Gazette all Municipalities which have a local income amounting to not less than five thousand rupees per annum.

Explanation.—For the purpose of these rules "local income" means the total income of a Municipality excluding the opening balance of the municipal fund, grants and contribution, and receipts under the Account Heads "Extraordinary" and "Debt."

(2) Any Municipality in regard to which a notification under sub-rule (1) is for the time being in force shall for the purposes of this Schedule be a "notified Municipality."

3. Of the five Members specified in Regulation II, sub-head (i), one shall be elected by the Commissioners of notified Municipalities in each of the following five Divisions, namely, the Patna, Tirhut, Bhagalpur, Orissa and Chota Nagpur Divisions.

4. (1) The number of votes assigned to each Municipality shall be determined in accordance with the following scale, namely :—

		Rs.		Rs.	
Municipalities with a local income of	...	5,000	and less than	10,000	1 vote.
Ditto	ditto	... 10,000	ditto	20,000	2 votes.
Ditto	ditto	... 20,000	ditto	50,000	3 „
Ditto	ditto	... 50,000	ditto	80,000	4 „

and for every additional Rs. 30,000 or part thereof in excess of Rs. 80,000 1 vote.

(2) The number of votes to which each Municipality is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

5. (1) To determine the candidate to whom the votes assigned to each Municipality in accordance with rule 4 shall be given, an election shall be held, in the manner hereinafter prescribed, by the Commissioners qualified to vote, other than officials appointed by name or *ex-officio*, of each of the notified Municipalities in each of the said Divisions.

(2) No such Commissioner shall have more than one vote in any one Division.

(3) The candidate to whom the largest number of votes is given by the Commissioners at any such election shall be deemed to have obtained the number of votes so assigned to the Municipality in which such election has been held.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Division for the representation of the Municipalities of which he is a candidate may be nominated as a candidate for election if he is or has for any period aggregating three years been a Commissioner of any Municipality situated in the Division.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule which shall be supplied by the Attesting Officer to any Commissioner mentioned in rule 5 (1) who may ask for the same.

(3) Every nomination paper shall be subscribed by two such Commissioners of any Municipality in the Division as proposer and seconder :

Provided that no Commissioner shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by that officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of the Commissioners ; or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of the Commissioners is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to all the Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine all nomination papers which have been received by him as aforesaid.

(2) Where a Commissioner subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

10. (1) On the date and at the time which the Local Government may appoint in this behalf, the Commissioners mentioned in rule 5 (1) of each notified Municipality in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each such Commissioner present one voting paper in Form II annexed to this Schedule, and such Commissioners shall thereupon proceed to record their votes.

(3) Each Commissioner shall vote by writing on the voting paper the name of the candidate whom he wishes to be elected, and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer:

Provided that if a Commissioner is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

11. (1) No Commissioner shall record his vote on more than one voting paper.

(2) Where a Commissioner records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

12. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 13 shall be rejected.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers referred to in rule 12 the Returning Officer shall attend for the purpose of examining them on such date and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in sub-rule (5) or in Regulation XVI, such rejection shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the Commissioner and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub-rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper on the ground that it is not valid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate who has obtained the number of votes assigned to the Municipality and enter in Form III annexed to this Schedule the name of such candidate :

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of them to be so declared, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate entered by him therein the number of votes to which the Municipality is entitled under rule 4 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 6 ;

(*b*) the scrutiny of nomination papers under rule 8 ;

(*c*) the meeting of the Commissioners of the Municipalities in any Division under rule 10 ; and

(*d*) the examination of voting papers and the counting of votes under rule 13.

866HD

FORM I.

(*See rule 6.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as Municipal Commissioners other than officials appointed by name or *ex-officio* of the Municipality (*or* Municipalities) of in the Division.

Attesting Officer.

(*Official designation.*)

Dated the

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 , and between the hours of and

FORM II.

(*See rule 10.*)

VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bihar and Orissa by the Commissioners of the Municipalities in the Division.

The Municipality.

Name of candidate.

Instructions.

1. Each Commissioner shall vote by entering the name of the candidate to whom he desires to give his vote.

2. Each Commissioner has one vote.

3. The voting paper shall be invalid if more votes than one are recorded on it.

4. The Commissioner shall sign the voting paper at the place indicated on the back and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

866HD

(*Fold on this line.*)

Signature of Commissioner.

FORM III.

(*See rule 13.*)

Result of election by the Commissioners of the Municipality.

The $\frac{\text{vote}}{\text{votes}}$ of the Municipality $\frac{\text{has}}{\text{have}}$ been given to the undermentioned candidate at the Meeting of the Commissioners held on the day of 19 .

Name of candidate.	Vote.

Returning Officer.

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE DISTRICT BOARDS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the five Members specified in Regulation II, sub-head (ii), one shall be elected by the District Boards of each of the following five Divisions, namely, the Patna, Tirhut, Bhagalpur, Orissa and Chota Nagpur Divisions.

3. (1) The number of votes assigned to each District Board shall be determined in accordance with the following scale :—

District Boards with an annual income (exclusive of opening balances and receipts from loans	...	...	Rs. not exceeding 75,000	... 1 vote.
Ditto	ditto	... exceeding 75,000	but less than 1,25,000	... 2 votes.
and for every additional Rs. 50,000 or part thereof in excess of			1,25,000	... 1 vote.

(2) The number of votes to which each District Board is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

4. (1) To determine the candidate to whom the votes assigned to each District Board in accordance with rule 3 shall be given an election shall be held in the manner hereinafter prescribed, by the persons (hereinafter referred to as electors) who are members, other than officials appointed by name or *ex-officio*, of each District Board of each of the said Divisions and are qualified to vote.

(2) No elector shall have more than one vote in any one Division.

(3) The candidate to whom the largest number of votes is given by the electors at any such election shall be deemed to have obtained the number of votes so assigned to the District Board holding such election.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Division for the representation of the District Boards of which he is a candidate may be nominated as a candidate for election, if he is, or has for any period aggregating three years been, a member of any District Board within the Division concerned.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector who may ask for the same.

(3) Every nomination paper shall be subscribed by two electors in the Division as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by that officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer on or before the date and time appointed for the scrutiny of nomination papers shall be rejected.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of electors, or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of electors is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to all Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

8. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

9. (1) On the date and at the time which the Local Government may appoint in this behalf, the electors of each District in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each elector present one voting paper, in Form II annexed to this Schedule, and such electors shall thereupon proceed to record their votes.

(3) Each elector shall vote by writing on the voting paper the name of the candidate whom he wishes to be elected, and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer :

Provided that if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

10. (1) No elector shall record his vote on more than one voting paper.

(2) Where an elector records his vote on two or more voting papers, all such papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

11. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 12 shall be rejected.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers referred to in rule 11, the Returning Officer shall attend for the purpose of examining them on such date and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse "rejected," with the grounds for such rejection, on any such voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in sub-rule (5) or in Regulation XVI, such rejection shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper on the ground that it is not valid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate who has obtained the number of votes assigned to the District Board concerned and enter in Form III annexed to this Schedule the name of such candidate :

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be so declared the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate entered therein under sub-rule (7) the number of votes to which the District Board is entitled under rule 3 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 5 ;

(*b*) the scrutiny of nomination papers under rule 7 ;

(*c*) the meeting of electors in any Division under rule 9 ; and

(*d*) the examination of voting papers and the counting of votes under rule 12.

FORM I.

(*See rule 5.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as members of the District Board (*or* Boards) of
other than officials appointed by name or *ex-officio*, in the Division.

Attesting Officer.

(*Official designation.*)

Dated the

Instructions.

1. Nomination papers shall be attested by the Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 and between the hours of and .

FORM II.

(*See rule 9.*)

VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bihar and Orissa by the District Boards in he Division.

The District Board of the District.

Name of candidate.

Instructions.

1. Each elector shall vote by entering the name of the candidate to whom he desires to give his vote.

2. Each elector has one vote.

3. The voting paper shall be invalid if more votes than one are recorded on it.

4. The elector shall sign the voting paper at the place indicated on the back, and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

(*Fold on this line.*)

(*Signature of elector.*)

FORM III.

(*See rule 12.*)

RESULT OF ELECTION BY THE DISTRICT BOARD OF THE DISTRICT.

The $\frac{\text{vote}}{\text{votes}}$ of the District Board of the District $\frac{\text{has}}{\text{have}}$ been given to the undermentioned candidate at the meeting of the electors held on the day of , 19 .

Name of candidate.	Number of votes.

Returning Officer.

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE LANDHOLDERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer for the time being deputed by the Returning Officer to perfom his duties.

2. Of the five Members specified in Regulation II, sub-head (iii), one shall be elected by landholders of each of the following five divisions, namely, the Patna, Tirhut, Bhagalpur, Orissa and Chota Nagpur Divisions.

Qualifications of electors.

3. The election shall be made by landholders qualified to vote and having a place of residence within the division concerned, who—

(*a*) pay either land-revenue or road and public works cesses as follows, namely :—

(i) in the case of the Patna, Tirhut and Bhagalpur Divisions, pay land-revenue amounting to not less than four thousand rupees or road and public works cesses amounting to not less than one thousand rupees per annum ; and

(ii) in the case of the Orissa and Chota Nagpur Divisions, pay land-revenue amounting to not less than six thousand rupees or road and public works cesses amounting to not less than five hundred rupees per annum ; or

(*b*) before the date of this Notification held titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab :

Provided that no landholder shall have more than one vote in any one Division though he may possess more than one of the qualifications above described.

Electoral rolls.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll of landholders qualified under rule 3 (hereinafter referred to as electors) for each Division in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette, together with a notice reproducing sub-rule (3) of this rule.

(2) As soon as may be after the publication of the said draft and notice for any Division in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in the Division.

(3) Any landholder whose name does not appear in any such draft and who claims to have his name included therein, and any person who objects to the entry of any name in any such roll, may, within fifteen days after the publication of the draft under sub-rule (1) of this rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, a statement of such claim or objection, as the case may be.

(4) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(5) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(6) As soon as may be after the publication of the roll for any Division in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in the Division.

(7) Within fifteen days after the publication of the draft under sub-rule (1), the Returning Officer may of his own motion make any addition to or alteration in the draft; any such alteration or addition shall be published in the manner prescribed for draft rolls in sub-rule (1), and shall remain open to objection in like manner for a further period of fifteen days.

5. In determining the eligibility of a landholder to have his name entered on the electoral roll for any Division,—

(*a*) only such estates and shares of estates as are held by him as proprietor in his own right and not in a fiduciary capacity, and are registered in his own name in registers maintained under the Land Registration Act, 1876, whether such estates or shares are situated in one or more Divisions, shall be taken into account;

(*b*) if the amount paid by the landholder in respect of any such share of an estate is not definitely known, the District Officer of the district in which such estate is situated shall estimate the amount so paid in respect of such shares, and his decision shall be final; and

(*c*) if a landholder pays land-revenue, or cesses, in respect of estates or shares in estates situated in two or more divisions, and if his payments in none of such divisions reach the amount prescribed for such division, his payments within all the divisions shall be aggregated, and if such aggregate equals or exceeds the amount prescribed for the division in which he makes the largest payment, he shall be entitled to be entered in the electoral roll for that division.

6. In the case of a Hindu joint-family or of a firm or company qualified under rule 3, the name of the Manager of the family or of any member of such firm or company duly authorised in writing in this behalf by the firm or company shall be entered in the roll as the representative for the purposes of the roll of such family, firm or company, as the case may be.

7. The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral rolls.

8. (1) The electoral rolls published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on any of the said electoral rolls, and who claims to have his name included therein, and any person who objects to the entry of any name in any such roll, may, within fifteen days after the publication of the notification under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which he or the person to the entry of whose name he objects resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

9. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election in the Division in which he is qualified as an elector.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or any District Magistrate to any elector in that Division applying for the same.

(3) Every nomination paper shall be subscribed by two electors in that Division as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time and place appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

10. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers ; or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

11. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion, or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

12. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 p.m. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation which shall be provided by the Attesting Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelpoes so delivered to him to the Returning Officer by registered post, in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 14 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of drafts and electoral rolls under rule 4 ;
(*b*) the revision of electoral rolls under rule 8 ;
(*c*) the attestation of nomination papers under rule 9 ;
(*d*) the scrutiny of nomination papers under rule 11 ;
(*e*) the sending of voting papers under rule 12 ;
(*f*) the attestation of voting papers under rule 12 ; and
(*g*) the counting of votes under rule 14 .

FORM I.

(See rule 4).

ELECTORAL ROLL OF LANDHOLDERS FOR THE DIVISION IN BIHAR AND ORISSA FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR.

Serial No.	District.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5	6

FORM II.

(See rule 9.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Landholders for the Division in Bihar and Orissa for the election of an Additional Member to the Legislative Council of the Lieutenant-Governor.

Attesting Officer.

(*Official designation.*)

Dated the

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation at on or before the day of 19 and between the hours of and .

FORM III.

(See rule 12.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Lieutenant-Governor by the Landholders of the Division in Bihar and Orissa. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Landholders for the Division in Bihar and Orissa for the election of an Additional Member of the Legislative Council of the Lieutenant-Governor.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

Dated the

(*Official designation.*)

FORM IV.

(See rule 12.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Father's name.	Address of elector.
1	2	3	4

Attesting Officer.

Dated the *(Official designation.)*

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY IN BIHAR AND ORISSA.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer for the time being deputed by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (*iv*), one shall be elected by Muhammadans of each of the following four electoral areas, namely:—

I.—The Patna Division;

II.—The Tirhut Division;

III.—The Bhagalpur Division;

IV.—The Orissa and Chota Nagpur Divisions.

Qualifications of electors.

3. The election shall be made by the votes of all Muhammadans qualified to vote and having a place of residence in the electoral area concerned, who—

(*a*) hold a title recognized or conferred by the Government or are members of the Order of the Star of India or the Order of the Indian Empire, or hold a Kaisar-i-Hind Medal; or

(*b*) are Ordinary or Honorary Fellows of the University of Calcutta; or

(*c*) are Honorary Magistrates; or

(*d*) are in the service of Government on a salary of Rs. 2,000 or more per annum; or

(*e*) are graduates of ten years' standing of any University in the United Kingdom or British India; or

(*f*) are teachers in any institution maintained or aided by the Government or affiliated to, or recognized by, the University of Calcutta, or recognised by the Director of Public Instruction:

Provided that such teachers are not less than thirty years of age, and receive a monthly salary of not less than twenty-five rupees; or

(*g*) are Registrars, authorised to act under the Bengal Muhammadan Marriages and Divorces Registration Act, 1876; or

(*h*) own land in respect of which land-revenue amounting to not less than one hundred and twenty-five rupees in the Orissa and Chota Nagpur Divisions, and two hundred and fifty rupees in the Patna, Tirhut and Bhagalpur Divisions, is payable per annum; or

(*i*) own land in respect of which road and public works cesses amounting to not less than thirty-one rupees and four annas in the Orissa and Chota Nagpur Divisions, and sixty-two rupees and eight annas in the Patna, Tirhut and Bhagalpur Divisions are payable per annum to Government either directly or through a superior landlord; or

(*j*) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than two thousand rupees in the Orissa and Chota Nagpur Divisions, and four thousand rupees in the Patna, Tirhut and Bhagalpur Divisions ; or

(*k*) are in receipt of a pension from the Government of not less than fifty rupees per mensem, or as gazetted or commissioned officers of the Government :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described, and if an elector is entitled to vote in any one of two or more Divisions, he may, by intimation in writing given to the Returning Officer not later than such date, as the Local Government may prescribe, choose, or in his default if intimation of such default is given to the Returning Officer or to the Local Government by any other elector within sufficient time to admit of orders being passed, the Local Government shall fix the Division in which he shall vote, and his name shall be entered in the electoral roll for that Division only.

Electoral rolls.

4 (1) On or before such date as may be appointed by the Local Government in this behalf, the Commissioner of each Division shall publish in the local official Gazette a draft electoral roll for each Division in Form I annexed to this Schedule, together with a notice reproducing sub-rule (2) of this rule, and shall cause a copy of the draft to be posted in a conspicuous place at the office of every District Magistrate in the Division.

(2) Any Muhammadan whose name does not appear in any such draft, and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub rule (1) of this rule, forward to the Commissioner of the Division, either direct or through the District Magistrate of the District in which he or the person to the entry of whose name he objects resides, a statement of such claim or objection, as the case may be.

(3) The Commissioner shall consider and decide upon all such claims and objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Commissioner, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll for any Division in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in such Division.

(6) Within fifteen days after the publication of the draft roll under sub-rule (1), the Commissioner may of his own motion make any alteration in or addition to the said draft ; any such alteration or addition shall be published in the manner prescribed for draft rolls in sub-rule (1), and shall remain open to objection in like manner for a further period of fifteen days.

5. The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral rolls.

6. (1) The electoral rolls published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) Any Muhammadan whose name does not appear on any of the said electoral rolls, and who claims to have his name included therein, and any person who objects to the entry of any name in any such roll may, within fifteen days after the publication of the notification under sub-rule, (1), forward to the District Magistrate of the district in which he or the person to the entry of whose name he objects resides, a statement of such claim or objection, as the case may be.

(3) Thereupon the District Magistrate, after such inquiry and after hearing such persons as he may consider necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if any appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any Muhammadan not ineligible for election under these Regulations, may be nominated as a candidate for election if he has a place of residence in the electoral area for which he is a candidate, and possesses one of the following qualifications, namely:—

(*a*) is a member of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa; or

(*b*) is a holder of any title conferred or recognised by the Government, or is a member of the Order of the Star of India, or of the Order of the Indian Empire, or the holder of a Kaisar-i-Hind Medal; or

(*c*) is an Ordinary or Honorary Fellow of the University of Calcutta; or

(*d*) owns land in respect of which land-revenue amounting to not less than seven hundred and fifty rupees is payable per annum; or

(*e*) owns land in respect of which road and public works cesses amounting to not less than one hundred and eighty-seven rupees and eight annas are payable per annum to Government either directly or through a superior landlord; or

(*f*) has during the financial year immediately preceding that in which the election is held paid on his own account income tax on an income of not less than six thousand rupees per annum; or

(*g*) is in receipt of a pension for service as a gazetted or commissioned officer of the Government.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or by a District Magistrate to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

10. (1) If in any electoral area one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions contained on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation which shall be provided by the Attesting Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 12 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of drafts and electoral rolls under rule 4;

(*b*) the revision of electoral rolls under rule 6;

(*c*) the attestation of nomination papers under rule 7;

(*d*) the scrutiny of nomination papers under rule 9;

(*e*) the sending of voting papers under rule 10;

(*f*) the attestation of voting papers under rule 10; and

(*g*) the counting of votes under rule 12.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS FOR THE ORISSA. DIVISION IN BIHAR AND

Serial No.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5

Instruction.

The name of an elector qualified to vote in electoral area No. IV (the Orissa and Chota Nagpur Divisions) shall be entered in the electoral roll for that Division only in which he ordinarily resides.

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Muhammadans for the Division in Bihar and Orissa.

Attesting Officer.

Dated the (*Official designation.*)

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of , 19 and between the hours of and , at the office of an Attesting Officer.

FORM III.

(See rule 10.)

VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bihar and Orissa by the Muhammadan community in the Division (s). The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the day of 19 , and between the hours of and

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans for the Division.

C. N.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

Dated the

(*Official designation.*)

FORM IV.

(See rule 10.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of Delegate.	Address.

Attesting Officer.

Dated the

(Official designation.)

SCHEDULE V.

[*See Regulation II, sub-head* (*v*), *and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MINING COMMUNITY.

1. The Member specified in Regulation II, sub-l ead (v), shall be elected by the members of the Indian Mining Association.

2. Any person not ineligible for election under these Regulations shall be eligible for election.

3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the said Association shall elect the Member aforesaid by a resolution carried by a majority of votes at a special general meeting.

4. The Chairman of the said Association shall forthwith report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE VI.

[*See Regulation II, sub-head (vi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE PLANTING COMMUNITY.

Preliminary.

1. "Returning Officer" means the General Secretary to the Bihar Planters' Association, and includes any officer of the Association for the time being deputed by the Chairman to perform the duties of the Returning Officer under these rules.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (vi), shall be elected by the votes of the members of the Bihar Planters' Association, Limited, qualified to vote and for the time being resident in India (hereinafter referred to as "electors").

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations may be nominated as a candidate for election if he,—

(*a*) is a member of the Bihar Planters' Association, or

(*b*) is employed by the said Association as a salaried servant:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by a letter sent to the Returning Officer signed by two electors as proposer and seconder.

(3) No elector shall subscribe more than one nomination letter.

(4) Where an elector subscribes two or more nomination letters, all such nomination letters, except the one first received by the Returning Officer, shall be rejected, and if the Returning Officer is unable to determine which of such nomination letters was first received by him, both or all of such letters shall be rejected.

(5) Nomination letters not received by the Returning Officer on or before the date fixed for the sending of such letters shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the counting of votes.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Returning Officer may think fit, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Voting.

5. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall send to each elector a list of such candidates and a voting paper.

6. Any elector may send his voting paper to the Returning Officer after recording his vote thereon :

Provided that voting papers which are not received by the Returning Officer before the day and hour appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

7. (1) On receiving the voting papers, the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse " rejected " with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 8 (3) or in Regulation XVI, such rejection shall be final.

8. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorized by him in writing, to watch the process of counting.

(3) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(4) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

9. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

10. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

11. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

12. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination letters under rule 3 (2);

(*b*) the sending of lists and voting papers under rule 5 (2);

(*c*) the sending of voting papers under rule 6; and

(*d*) the counting of votes under rule 8 (1).

Enclosure no. 2 (8).

No. 68.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, Ch. 4), as extended to Assam under section 3 of the Government of India Act, 1912 (2 & 3 Geo. 5, C.6) by proclamation dated 14th November 1912, the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Chief Commissioner of Assam.

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE CHIEF COMMISSIONER OF ASSAM.

Numbers of Members.

I. (1) The Members of the Legislative Council of the Chief Commissioner of Assam shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be eleven in number;

B.—Members nominated by the Chief Commissioner, with the sanction of the Governor General, who shall not exceed thirteen in number, and of whom not more than nine may be officials.

(2) In addition to the twenty-four Members above specified, the Chief Commissioner may, with the sanction of the Governor General, nominate one more person, whether official or non-official, having expert knowledge of subjects connected with proposed or pending legislation, to be a Member of the Council:

Provided that it shall not be lawful for the Chief Commissioner to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The eleven elected Members specified in Regulation I shall be elected as follows, namely :—

(i) By the Municipal Commissioners	... ...	2 Members.
(ii) By the Local Boards	... ...	2 „
(iii) By the Landholders	... ...	2 „
(iv) By the Muhammadan community	... ...	2 „
(v) By the Tea planting community	... ...	3 „

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject; or

(*b*) is an official; or

(*c*) is a female; or

(*d*) has been adjudged by a competent Court to be of unsound mind; or

(*e*) is under twenty-five years of age; or

(*f*) is an uncertificated bankrupt or an undischarged insolvent; or

(*g*) has been dismissed from the Government service; or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned; or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority; or

(*k*) has been declared by the Chief Commissioner to be of such reputation and antecedents that his election would, in the opinion of the Chief Commissioner, be contrary to the public interest:

Provided that in cases (*g*), (*h*), (*i*) and (*k*) the disqualification may be removed by an order of the Chief Commissioner in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown in the following form, namely:—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ a Member of the Legislative Council of the Chief Commissioner of Assam, do solemnly swear (*or* affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Chief Commissioner considers reasonable,

the Chief Commissioner shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Chief Commissioner shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Chief Commissioner may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX (1) If any person is elected by more than one electorate, he shall by notice in writing signed by him and delivered to the Chief Secretary to the Local Government within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default, the Chief Commissioner shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as otherwise provided in these Regulations the term of office of a Member shall be three years commencing from,—

(*a*) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Chief Commissioner may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Chief Commissioner shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Chief Commissioner may, with the sanction of the Governor General, nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled, and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Chief Commissioner may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Chief Commissioner of Assam shall be exercised only at meetings at which eight or more Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Chief Commissioner shall, after such inquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Chief Commissioner shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Chief Commissioner may, with the sanction of the Governor General, nominate any person eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Chief Commissioner on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Chief Commissioner shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Chief Commissioner may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-head (i), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUNICIPAL COMMISSIONERS.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorates.

2. (1) For the purpose of the election of the two Members specified in Regulation II, sub-head (i), the Municipalities shall be formed into the following two groups, namely :—

Group I.—The Municipalities in the Surma Valley and Hill Districts Division.

Group II.—The Municipalities in the Assam Valley Division.

Explanation.—The term "Municipality" includes any town or suburb in which the provisions of Chapter IV of the Bengal Municipal Act, 1876, are in force.

(2) The Commissioners, other than—

(*a*) the Chairman, if an official, and

(*b*) officials appointed by name or *ex-officio*

of the Municipalities in groups I and II shall each elect one Member.

(3) The number of votes which the Commissioners of each Municipality shall be entitled to give shall be regulated by the local income possessed by it according to the following scale:—

Municipalities with an annual local income of less than Rs. 10,000	...	1	Vote.
Ditto, ditto, Rs. 10,000 and less than Rs. 20,000	...	2	Votes.
Ditto, ditto, Rs. 20,000 and less than Rs. 50,000	...	3	„
Ditto, ditto, Rs. 50,000 and less than Rs. 80,000	...	4	„
and for every additional Rs. 30,000 or part thereof in excess of Rs. 80,000		1	Vote.

Explanation.—By "local income" is meant the total income of the Municipality excluding the opening balance of the municipal fund, grants and contributions, and receipts under the account heads "Extraordinary" and "Debt."

(4) The number of votes to which each Municipality is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations, who has a place of residence within the group concerned and such practical connection with it as qualifies him to represent it, may be nominated as a candidate for election if he is, or has for an aggregate period of not less than three years been, a Municipal Commissioner in one of the Municipalites within the group.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer or the Chairman of a Municipality to any elector asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two qualified Municipal Commissioners of Municipalities included within the group :

Provided that no Municipal Commissioner shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time appointed by the Local Government in this behalf either to the Returning Officer or to the Chairman of one of the Municipalities within the group, provided that such Chairman has not at the time been nominated as a candidate for election, and, if such Returning Officer or Chairman is satisfied that the nominee is willing to stand for election, shall be attested by the Returning Officer or Chairman in the manner prescribed on the face of the Form.

(5) Nomination papers attested by the Chairman of a Municipality shall be despatched by him without delay by registered post to the Returning Officer.

(6) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting for election, or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting for election is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where a Municipal Commissioner subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer or Chairman attesting the same, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If in any group one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the

Local Government may prescribe, and shall send a list of the candidates to each Municipality within the group.

7. (1) The Chairman of each Municipality within the group shall summon for such date as may be fixed by the Local Government in this behalf, a meeting of the Municipal Commissioners qualified to vote under rule 2, who alone shall be entitled to be present at such meeting, and shall in the first instance explain to the Commissioners who are present at that meeting the rules for the election.

(2) The Chairman shall then, if he is an official, withdraw from the meeting, and if he is a candidate withdraw from the chair; and in either case the Commissioners present shall proceed to elect one of their number who is not a candidate to preside over the meeting: in the case of an equality of votes the election of the President shall be made by drawing lots.

(3) It shall then be decided by the votes of the Municipal Commissioners present to which candidate the votes allotted to the Municipality shall be given, and in the case of an equality of votes, the President of the meeting shall have a casting vote.

(4) The President of the meeting shall forthwith report to the Returning Officer the name of such candidate.

(5) Such report shall be in Form II annexed to this Schedule, and shall be signed by the President of the meeting and countersigned by the Chairman of the Municipality if he did not preside at such meeting and is not a candidate: non-compliance with the provisions of this sub-rule shall render the report invalid.

Counting of votes and declaration of result.

8. (1) On the date and at the time and place appointed by the Local Government in this behalf, the Returning Officer shall mark on the report sent up from each Municipality in the group the number of votes allotted to such Municipality.

(2) No report received by the Returning Officer after the time appointed for the counting of the votes shall be taken into account by him.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to be present at the counting of the votes.

(4) The Returning Officer shall show the reports which have been received to the candidates or their representatives, and shall decide at once any objection that may be made to any report on the ground that the report is invalid under these rules, or to the votes marked on any report, and, save as provided in Regulations VIII and XVI, such decision shall be final.

(5) In such cases the Returning Officer shall record on the report the nature of the objection and his decision thereon.

9. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

10. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the reports and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

11. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

12. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 5;

(*c*) the meetings of Municipal Commissioners under rule 7; and

(*d*) the counting of votes under rule 8.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being qualified Commissioners of the Municipality (*or* Municipalities) of

Returning Officer (or *Chairman of the Municipality of*)

Date of attestation.

Instruction.

Nomination papers shall be presented for attestation to the Returning Officer or to the Chairman (not being a candidate) of one of the Municipalities in the group not later than on the day of 19 .

FORM II.

(See rule 7.)

ELECTION OF A MEMBER TO THE LEGISLATIVE COUNCIL OF THE CHIEF COMMISSIONER OF ASSAM BY THE MUNICIPALITIES OF THE DIVISION.

The votes of the Municipality have been given to the candidate named below:—

Name of candidate.	No. of votes. (To be filled up by the Returning Officer.)

President of the meeting of Municipal Commissioners.

Date

Countersigned.

Chairman of the Municipality.

Date

SCHEDULE II.

[*See Regulation II, sub-head (ii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE LOCAL BOARDS.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) Of the two Members specified in Regulation II, sub head (ii), one shall be elected by the Local Boards of each of the two Divisions of the Province.

(2) The election shall be made by the votes of the members of the Local Boards in the Division other than (*a*) the Chairman, if an official, and (*b*) officials appointed by name or *ex-officio* to be such members.

(3) The number of votes which the members of each Local Board shall be entitled to give shall be regulated by the ordinary income possessed by it as follows, namely :—

One vote if the ordinary income of the Board does not exceed Rs. 1,00,000, and one additional vote for every additional Rs. 1,00,000 or portion thereof.

Explanation.—By "ordinary income" is meant the total income of the Board, excluding the opening balance, and entries under the account head "Debt."

(4) The number of votes to which the Members of each Local Board are entitled under sub-rule (3) shall be notified from time to time by the Local Government in the local official Gazette.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who has a place of residence within the Division concerned and such practical connection with it as qualifies him to represent it, may be nominated as a candidate for election, if he—

(*a*) is a member of any Local Board in that Division, or

(*b*) has served as a member of a Local Board within that Division for an aggregate period of not less than three years.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer or the Chairman of a Local Board in the Division to any elector asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two qualified members of Local Boards included within the Division :

Provided that no member of a Local Board shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time appointed by the Local Government in this behalf either to the Returning Officer or to the Chairman of one of the Local Boards within the Division, provided that such Chairman has not at the time been nominated as a candidate for election, and, if such Returning Officer or Chairman is satisfied that the nominee is willing to stand for election, shall be attested by the Returning Officer or Chairman in the manner prescribed on the face of the Form.

(5) Nomination papers attested by the Chairman of a Local Board shall be despatched by him without delay by registered post to the Returning Officer.

(6) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting for the election, or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting for the election is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where a member of a Local Board subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer or Chairman attesting the same, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall send a list of the candidates to each Local Board within the Division.

7. (1) The Chairman of each Local Board within the Division shall summon for such date as may be fixed by the Local Government in this behalf, a meeting of the members of the Board qualified to vote under rule 2, who alone shall be entitled to be present at such meeting, and shall in the first instance explain to the members who are present at that meeting the rules for the election.

(2) The Chairman shall then, if he is an official, withdraw from the meeting, and if he is a candidate, withdraw from the chair and in either case the members present shall proceed to elect one of their number who is not a candidate to preside over the meeting: in the case of an equality of votes, the election of the President shall be made by drawing lots.

(3) It shall then be decided by the votes of the members present to which candidate the votes allotted to the Board shall be given, and in the case of an equality of votes, the President of the meeting shall have a casting vote.

(4) The President of the meeting shall forthwith report to the Returning Officer the name of such candidate.

(5) Such report shall be made in Form II annexed to this Schedule, and shall be signed by the President of the meeting and countersigned by the Chairman of the Local Board if he did not preside at such meeting and is not a candidate: non-compliance with the provisions of this sub-rule shall render the report invalid.

Counting of votes and declaration of result.

8. (1) On the date and at the time and place appointed by the Local Government in this behalf, the Returning Officer shall mark on the report sent up from each Local Board in the Division the number of votes allotted to such Local Board.

(2) No report received by the Returning Officer after the time appointed for the counting of the votes shall be taken into account by him.

(3) Every candidate may be present in person, or may send a representative, duly authorized by him in writing, to be present at the counting of votes.

(4) The Returning Officer shall show the reports which have been received to the candidates or their representatives, and shall decide at once any objection that may be made to any report on the ground that the report is invalid under these rules, or to the votes marked on any report and, save as provided in Regulations VIII and XVI, such decision shall be final.

(5) In such cases the Returning Officer shall record on the report the nature of the objection and his decision thereon.

9. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

10. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the reports and all the other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

11. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

12. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 5;

(*c*) the meeting of the members of Local Boards under rule 7; and

(*d*) the counting of votes under rule 8.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being qualified members of the Local Board (*or* Boards) of

Returning Officer (or *Chairman of the Local Board of*).

Date of attestation.

Instruction.

Nomination papers shall be presented for attestation to the Returning Officer or to the Chairman (not being a candidate) of one of the Local Boards in the Division not later than 5 P.M. on the day of

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FORM II.

(See rule 7.)

ELECTION OF A MEMBER TO THE LEGISLATIVE COUNCIL OF THE CHIEF COMMISSIONER OF ASSAM BY THE LOCAL BOARDS OF THE DIVISION.

The votes of the Local Board have been given to the candidate named below :—

Name of candidate.	No. of votes. (To be filled up by the Returning Officer.)

President of the meeting of
Members of the Local Board.

Date

Countersigned.

Chairman of the Local Board.

Date

SCHEDULE III.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE LANDHOLDERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the two Members specified in Regulation II, sub-head (iii), one shall be elected by landholders of the Assam Valley Division and the Surma Valley and Hill Districts Division, respectively.

Qualifications of electors.

3. The election shall be made by landholders qualified to vote and having a place of residence within the Division concerned, who—

(*a*) hold in their own right as proprietors within the Division one or more estates or shares of estates, and pay in respect thereof land-revenue amounting to not less than five hundred rupees or local rates amounting to not less than one hundred and twenty-five rupees per annum ; or

(*b*) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab :

Provided that no elector shall have more than one vote in any one Division though he may possess more than one of the qualifications above described.

Explanation.—For the purposes of this rule—

(1) a manager or a trustee or the holder of a religious endowment, such as a *mahant* or a *gosain*, or the *mutawali* or manager of a Muhammadan *wakf*, shall not as such be deemed to be a person who holds estates in his own right within the meaning of this rule ;

(2) where an estate or a share of an estate is held by two or more persons jointly, it shall be assumed, until the contrary is shown, that they hold equal shares ;

(3) the term "local rates" refers to the rates levied by Government under the Assam Local Rates Regulation, 1879 ;

(4) the term "proprietor" includes "landholders" as defined in the Assam Land and Revenue Regulation, 1886

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the said Gazette, a copy thereof shall be posted in a conspicuous place at the office of every Deputy Commissioner.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Deputy Commissioner may of his own motion, and shall on the application of any person whose name appears on the said roll, or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Deputy Commissioner after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the said roll.

(4) An appeal shall lie from any such order of the Deputy Commissioner to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll of the Division concerned may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer, or by the Deputy Commissioner of any district to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the Division concerned as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation before 3 P.M. on the day appointed by the Local Government as the latest date in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

9. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

10. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

11. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names in such manner as the Local Government may prescribe.

12. (1) The Returning Officer shall, upon such date as may be appointed by the Local Government in this behalf, sign and send by registered post to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or to a Deputy Commissioner for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer on any day up to 5 P.M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions, and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

13. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

14. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where any elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 15 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

15. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 14 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

16. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

17. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

18. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

19. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 4;

(*b*) the attestation of nomination papers under rule 7;

(*c*) the scrutiny of nomination papers under rule 10;

(*d*) the sending of voting papers under rule 12;

(*e*) the attestation of voting papers under rule 12; and

(*f*) the counting of votes under rule 15.

FORM I.

(*See rule 4.*)

ELECTORAL ROLL OF LANDHOLDERS OF THE DIVISION.

Serial No. on roll.	Name of district.	Name of elector.	Father's name.	Address.	Qualification.
1	2	3	4	5	6

FORM II.

(*See rule* 7.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and ; who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Landholders of the Division.

Attesting Officer.

Dated

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of , and between the hours of and , at the office of an Attesting Officer.

FORM III.

(*See rule 12.*)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Chief Commissioner of Assam by the Landholders of the Division. The following candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Landholders of the Division.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Dated *Attesting Officer.*

FORM IV.

(See rule 13.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE IV.

[*See Regulation II, sub-head (iv), and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Commissioner of the Division" or "Commissioner" includes any officer deputed for the time being by the Commissioner of the Division to perform all or any of his duties under these rules.

(3) "Deputy Commissioner" includes any Assistant Commissioner or Extra Assistant Commissioner to whom the Deputy Commissioner may, with the permission of the Commissioner of the Division delegate any of his duties under these rules.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(5) "Sub-division" includes the *Sadr* Sub division of every district, and also includes the whole district in the case of the district of Nowgong; and "Sub-divisional Officer" includes the Deputy Commissioner when he is in direct charge of the *Sadr* sub-division and the Deputy Commissioner of Nowgong.

2. Of the two Members specified in Regulation II, sub-head (iv), one Member shall be elected by the qualified electors in each of the following Divisions, namely:—

(1) the Surma Valley and Hill Districts Division, and

(2) the Assam Valley Division.

Qualifications of electors.

3. The election shall be made by the votes of Muhammadans qualified to vote and having a place of residence in the Division concerned, who—

(*a*) hold titles conferred or recognised by the Government; or

(*b*) hold the Kaisar-i-Hind Medal; or

(*c*) are members of the Order of the Star of India or the Order of the Indian Empire; or

(*d*) are Ordinary or Honorary Fellows of the University of Calcutta; or

(*e*) are graduates of any University in the United Kingdom or British India; or

(*f*) are Honorary Magistrates; or

(*g*) hold certificates that they have passed the final examination of a recognised Madrassa, and are teachers in any High School recognised by the Calcutta University, or any College affiliated thereto, or any Madrassa recognised by the Government; or

(*h*) are Registrars authorised to act under the Bengal Muhammadan Marriages and Divorces Registration Act, 1876; or

(*i*) are holders in their own right as proprietors within the Division of one or more estates or shares of estates and pay in respect thereof land-revenue or local rates amounting to not less than fifty rupees per annum ; or

(*j*) are *jotedars* in the district of Goalpara paying rent amounting to not less than two hundred and fifty rupees per annum ; or

(*k*) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than one thousand rupees per annum ; or

(*l*) are in receipt of pensions from the Government of not less than fifty rupees per mensem :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described, and if an elector is entitled to vote in either of the Divisions, he may, by intimation in writing given to the Returning Officer not later than such date as the Local Government may prescribe, choose, or in his default, if intimation of such default is given to the Returning Officer or to the Local Government by any other election within sufficient time to admit of orders being passed, the Local Government shall fix the Division in which he shall vote, and his name shall be entered in the electoral roll for that Division only.

Explanation.—For the purposes of this rule—

(1) "holder in his own right" does not include a *mutawali* or manager of a *wakf* estate ; or a trustee or a manager in an estate other than a *wakf* estate ;

(2) where an estate or a share of an estate is held by two or more persons jointly, it shall be assumed, until the contrary is shown, that they hold equal shares ;

(3) the term "local rates" means the rates levied by Government under the Assam Local Rates Regulation, 1879 ;

(4) the term "proprietor" includes landholders as defined in the Assam Land and Revenue Regulation, 1886.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the said roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every Deputy Commissioner and of every Sub-divisonal Officer.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the Deputy Commissioner may of his own motion, and shall on the application of any person whose name appears on the said roll, or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Deputy Commissioner, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the Deputy Commissioner to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll of the Division concerned may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Sub-divisional Officer or Deputy Commissioner to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors of the Division concerned as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on such dates and at such times as may be appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be duly attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

9. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

10. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

11. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names in such manner as the Local Government may prescribe.

12. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates :

Provided that such a voting paper shall also be supplied to any elector on his applying for the same to the Returning Officer or Deputy Commissioner, or Sub-divisional Officer on or before the day appointed as the latest date for the attestation of voting papers under this rule, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer on any day up to 5 P.M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions, and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

13. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

14. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in rule 15 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

15. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorized by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting-papers sealed as provided by rule 14 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

16. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

17. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

18. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

19. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 4 ;

(*b*) the attestation of nomination papers under rule 7 ;

(*c*) the scrutiny of nomination papers under rule 10 ;

(*d*) the sending of voting papers under rule 12 ;

(*e*) the attestation of voting papers under rule 12 ; and

(*f*) the counting of votes under rule 15.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS OF THE DIVISION.

Serial No. of roll.	Name of district.	Name of sub-division.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6	7

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans of the Division for the election of a Member to the Legislative Council of the Chief Commissioner of Assam.

Dated *Attesting Officer.*

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 and between the hours of and at the office of an Attesting Officer.

FORM III.

(See rule 12.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Chief Commissioner of Assam by the Muhammadan community in the Division. The following ( ) candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Muhammadans of the Division for the election of a Member to the Legislative Council of the Chief Commissioner of Assam.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Attesting Officer.

Dated

FORM IV.

(See rule 13.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[*See Regulation II, sub-head* (*v*), *and Regulation III.*]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE TEA PLANTING COMMUNITY.

1. Of the three Members specified in Regulation II, sub-head (v), one shall be elected by the Assam Valley Branch of the Indian Tea Association, one shall be elected by the Surma Valley Branch of the Indian Tea Association, and the third Member shall be elected by the said Branch Associations alternately, the former having the first right of election.

2. Any person not ineligible for election under these Regulations may be elected.

3. The elections shall be conducted by each Branch Association in the manner laid down in its rules for deciding questions of business brought before it.

4. The Chairman of each Branch Association shall report to the Secretary to the Legislative Council, on or before such date as may be appointed by the Local Government in this behalf, the name of the candidate who has been elected, and the name of the candidate so elected shall be published in the local official Gazette.

Enclosure no. 2 (9).

No. 61.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General of India, in supersession of the Regulations published under Notification No. 14 of the Government of India in the Legislative Department, dated the 15th November, 1909, as subsequently amended.

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Number of Members

I. The Additional Members of the Legislative Council of the Governor General shall ordinarily be sixty in number, and shall consist of—

A.—Members elected by the classes specified in Regulation II, who shall ordinarily be twenty-seven in number; and

B.—Members nominated by the Governor General, who shall not exceed thirty-three in number, and of whom—

(*a*) not more than twenty-eight may be officials, and

(*b*) three shall be non-official persons to be selected—

(i) one from the Indian commercial community,

(ii) one from the Muhammadan community in the Punjab, and

(iii) one from the landholders in the Punjab:

Provided that it shall not be lawful for the Governor General to nominate so many non-official persons under these Regulations that the majority of all the Members of the Council shall be non-officials.

Elected Members.

II. The twenty-seven elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the non-official Additional Members of the Council of the Governor of Fort St. George	2 Members.
(ii) By the non-official Additional Members of the Council of the Governor of Bombay	2 Members.
(iii) By the non-official Additional Members of the Council of the Governor of Fort William in Bengal	2 Members.
(iv) By the non-official Members of the Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh	2 Members.
(v) By the non-official Members of the Council of the Lieutenant-Governor of the Punjab	1 Member.
(vi) By the non-official Members of the Council of the Lieutenant-Governor of Burma	1 Member.
(vii) By the non-official Additional Members of the Council of the Lieutenant-Governor of Bihar and Orissa	1 Member.
(viii) By the non-official Members of the Council of the Chief Commissioner of Assam	1 Member.
(ix) By the District Councils and Municipal Committees in the Central Provinces	1 Member.
(x) By Landholders in the Presidency of Fort St. George ...	1 Member.
(xi) By Landholders in the Presidency of Bombay	1 Member.
(xii) By Landholders in the Presidency of Bengal	1 Member.
(xiii) By Landholders in the United Provinces of Agra and Oudh ...	1 Member.
(xiv) By Landholders in Bihar and Orissa	1 Member.

(xv)	By Landholders in the Central Provinces	1 Mem ber
(xvi)	By the Muhammadan community in the Presidency of Fort St. George	1 Member.
(xvii)	By the Muhammadan community in the Presidency of Bombay	1 Member.
(xviii)	By the Muhammadan community in the Presidency of Bengal	1 Member.
(xix)	By the Muhammadan community in the United Provinces of Agra and Oudh	1 Member.
(xx)	By the Muhammadan community in Bihar and Orissa ...	1 Member.
(xxi)	By the Bengal Chamber of Commerce	1 Member.
(xxii)	By the Bombay Chamber of Commerce	1 Member.

In addition to the Members specified in the foregoing part of this Regulation, a second Member shall be elected at the first, third and succeeding alternate elections by the Muhammadan members of the class specified in sub-head (xiii), and at the second, fourth and succeeding alternate elections, by the class specified in sub-head (xviii).

Explanation.—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates, and in accordance with the procedures respectively prescribed in the Schedules to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

(*a*) is not a British subject, or

(*b*) is an official, or

(*c*) is a female, or

(*d*) has been adjudged by a competent Court to be of unsound mind, or

(*e*) is under twenty-five years of age, or

(*f*) is an uncertificated bankrupt or an undischarged insolvent, or

(*g*) has been dismissed from the Government service, or

(*h*) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(*i*) has been debarred from practising as a legal practitioner by order of any competent authority, or

(*k*) has been declared by the Governor General in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor General in Council, be contrary to the public interest:

Provided that, in cases (*g*), (*h*), (*i*) and (*k*), the disqualification may be removed by an order of the Governor General in Council in this behalf.

Qualification of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(*a*) is a female, or

(*b*) is a minor, or

(*c*) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of

the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely:—

I, A. B., having been $\frac{\text{elected}}{\text{nominated}}$ an Additional Member of the Legislative Council of the Governor General, do solemnly swear (*or* affirm) that I will be faithful and bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(*a*) not being eligible for election, is elected under these Regulations, or,

(*b*) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (*d*), (*f*), (*g*), (*h*) or (*i*) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor General in Council considers reasonable,

the Governor General shall, by notification in the *Gazette of India*, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor General may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of India in the Legislative Department, within seven days from the date of the publication of the result of such elections in the *Gazette of India*, choose, or in his default the Governor General shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as otherwise provided in these Regulations, the term of office of an Additional Member shall be three years, commencing from—

(*a*) in the case of a nominated Member, the date of the publication in the *Gazette of India* of the notification by which he is nominated,

(*b*) in the case of an elected Member, the date of the publication in the *Gazette of India* of the result of the election, or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs:

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years, or such shorter period as the Governor General may at the time of nomination determine:

Provided further that, in the event of a Legislative Council being constituted for the Central Provinces, the term of office of the Member elected by the class specified in sub-head (ix) of Regulation II shall expire on such date as the Governor General in Council may, by notification in the *Gazette of India*, direct.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Governor General may nominate any person to the vacancy :

Provided that when a casual vacancy occurs—

(*a*) in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled, and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member, and

(*b*) in the case of a Member nominated as representing any class specified in Regulation I, sub-head B, clause (*b*), the person nominated shall be selected from the same class.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor General may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations, and of transacting other business vested in the Legislative Council of the Governor General shall be exercised only when fifteen or more Additional Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or,

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A " promise of individual profit " includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publicatio

of the result of such election in the *Gazette of India*, apply to the Governor General in Council to set aside such election.

(2) The Governor General in Council shall, after such inquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor General may nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Governor General in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor General shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to proceed to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor General may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[*See Regulation II, sub-heads* (*i*), (*ii*) *and* (*iv*), *and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCILS OF THE GOVERNORS OF FORT ST. GEORGE AND BOMBAY AND OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electors.

2. (1) The Member or Members specified in Regulation II, sub-heads (*i*), (*ii*) and (*iv*), shall be elected by the votes of the non-official Members of the Councils of the Governors of Fort St. George and Bombay and of the Lieutenant-Governor of the United Provinces of Agra and Oudh, respectively.

(2) Every such Member shall have one or two votes according as one or two candidates are to be elected.

(3) In the case of the election of two candidates, the Member may record both his votes in favour of one candidate.

3. On such date and at such time and place as may be appointed by the Local Government in this behalf, the non-official Members of each of the said Councils shall meet for the purpose of electing the Member or Members whom they are called upon to elect.

4. (1) At such meeting the Returning Officer shall attend, and, after explaining the rules, shall deliver to each Member present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The Members present shall then proceed to elect from among themselves a Chairman, who shall in the first instance state the number of candidates to be elected and call upon the Members to nominate candidates.

Qualifications of candidates.

5. (1) Any person not ineligible for election under these Regulations, and having a place of residence within the Province concerned and such practical connection with that Province as qualifies him to represent it, may be nominated as a candidate:

Provided that the Chairman is satisfied that such person is willing to be so nominated.

(2) Such nomination may be made by any two Members as proposer and seconder, and the names of all candidates so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

Voting.

6. (1) If the number of candidates duly nominated does not exceed the number of candidates to be elected, the candidate or candidates so nominated shall be declared to be elected, and the Chairman shall forthwith inform the Returning Officer of the name and address of such candidate or candidates.

(2) If the number of candidates duly nominated exceeds the number of candidates to be elected, the Members present, including the Chairman, shall record their votes on the voting papers in accordance with the instructions thereon.

(3) Neglect on the part of the Member to comply with any of these instructions shall render the vote invalid.

(4) If any such Member is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Chairman shall assist him in such manner as may be necessary to do so.

7. The Chairman shall then inform the Returning Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated.

Counting of votes and declaration of result.

8. (1) The Returning Officer shall then collect the voting papers from the Members present, and shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it is invalid under these rules, and, save as provided in rule 9 (4) or in Regulation XVI, such rejection or discarding shall be final.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

9. (1) The Returning Officer shall thereupon count the votes in the presence of the Members.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, sealed as provided by rule 8, to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it is invalid under these rules, or to the rejection or discarding by the Returning Officer of any voting paper or vote, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name or names of the candidate or candidates elected shall be published in the local official Gazette and in the *Gazette of India*.

Appointment of dates, times and places.

13. The Local Government shall appoint such date, time and place as it may think suitable for the meeting of Members under rule 3, and shall notify the same in such manner as it thinks fit.

FORM I.

(See rule 4.)

VOTING PAPER.

$\frac{\text{An}}{\text{Two}}$ Additional Member (s) $\frac{\text{is}}{\text{are}}$ to be elected to the Legislative Council of the Governor General by the non-official Members of the Legislative Council of the $\frac{\text{Governor of Fort George.}}{\text{Governor of Bombay.}}$
$\text{Lieut.-Govr. of the U. P. of A. and O,}$

Serial No.	Names of candidates.	Votes.

Instructions.

1. Each Member shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each Member has as many votes as there are Members to be elected.

3. If two Members are to be elected, a Member may give both his votes to one candidate.

4. He shall vote by placing the mark × or the marks × ×, as the case may be, opposite the name of the candidate or candidates to whom he desires to give his vote or votes.

5. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of Members to be elected.

6. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

7. After voting the Member shall sign the paper at the place indicated on the back, fold it, and deliver it to the Returning Officer. Voting papers not so signed shall be invalid.

866HD

Signature of Member.

SCHEDULE II.

[*See Regulation II, sub-head (iii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE NON-OFFICIAL ADDITIONAL MEMBERS OF THE COUNCIL OF THE GOVERNOR OF FORT WILLIAM IN BENGAL.

Preliminary.

1. "Returning Officer" means the Chief Secretary to the Local Government, and includes any officer deputed for the time being by the Chief Secretary to perform his duties under these rules.

Electors.

2. (1) The Member or Members specified in Regulation II, sub-head (iii), shall be elected by the votes of the non-official Additional Members of the Council of the Governor of Fort William in Bengal (hereinafter referred to as electors).

(2) Every elector shall have one or two votes according as one or two candidates are to be elected.

(3) In the case of the election of two candidates, an elector may record both his votes in favour of one candidate.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations, and having a place of residence within the Presidency of Bengal and such practical connection with that Presidency as qualifies him to represent it, may be nominated as a candidate:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I, annexed to this Schedule, which shall be signed by the Returning Officer, and as many such papers as there are candidates to be elected shall be sent by him by registered post, on or before such date as may be appointed by the Local Government in this behalf, to each elector then residing in India:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more nomination papers than the number of candidates to be elected.

(4) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date appointed for the meeting of electors; or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of electors is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting papers the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On such date, not being less than three clear days before the date appointed for the meeting of electors, and at such time and place as may be

appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes more nomination papers than he is entitled to do under rule 3, all such nomination papers, except the one first received by the Returning Officer, and, if two candidates are to be elected, except also the one received by him next after the one first received, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received, all such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If the number of duly nominated candidates who stand for election does not exceed the number of candidates to be elected, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of duly nominated candidates who stand for election exceeds the number of candidates to be elected, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the meeting of electors, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. (1) Any elector may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein, or may deliver it to the Returning Officer at the meeting of electors.

(2) Any elector may also fill up a duplicate voting paper at the meeting of electors, provided that a voting paper so filled up shall be marked as a duplicate and shall not be counted if the Returning Officer has received a voting paper previously filled up by the same elector.

(3) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign on the back thereof.

(4) Voting papers which are not received by the Returning Officer before the counting of votes shall be rejected.

Meeting of electors and declaration of result.

8. On such date and at such time and place as may be appointed by the Local Government in this behalf, the electors shall meet for the purpose of electing the Member or Members whom they are called upon to elect.

9. (1) At such meeting the Returning Officer shall attend, and shall examine the voting papers already received and those brought by any of the electors present to see whether they have been correctly filled up.

(2) Where an elector records his vote or votes on two or more voting papers, all such voting papers, except the one first received by the Returning Officer shall be

deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it is invalid under these rules, and shall endorse on the voting paper the grounds for such rejection or discarding; and, save as provided in rule 10 (4) or in Regulation XVI, such rejection or discarding shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall thereupon count the votes in the presence of the electors.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, sealed as provided by rule 9, to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name or names of the candidate or candidates elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3;

(*b*) the scrutiny of nomination papers under rule 5;

(*c*) the sending of voting papers under rule 6; and

(*d*) the meeting of electors under rule 8.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Office before the day of 19 shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

$\frac{\text{An}}{\text{Two}}$ Additional $\frac{\text{Member}}{\text{Members}}$ $\frac{\text{Is}}{\text{are}}$ to be elected to the Legislative Council of the Governor General by the non-official Additional Members of the Legislative Council of the Governor of Fort William in Bengal. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Votes.

Returning Officer.

Instructions.

1. Each elector has as many votes as there are Members to be elected.

2. If two Members are to be elected, an elector may give both his votes to one candidate.

3. He shall vote by placing the mark ×, or the marks ××, as the case may be, opposite the name of the candidate or candidates to whom he desires to give his vote or votes.

4. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of Members to be elected.

5. If the mark denoting any vote is so placed as to render it doubtful to which candidate such vote is given, the vote shall be invalid.

6. After voting the elector shall sign the paper at the place indicated on the back, fold it, and send it to the Returning Officer by registered post, or deliver it to him at the meeting for the election. Voting papers not so signed shall be invalid.

Signature of Elector.

SCHEDULE III.

[*See Regulation II, sub-head (vii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE NON-OFFICIAL ADDITIONAL MEMBERS OF THE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BIHAR AND ORISSA.

Preliminary.

1. "Returning Officer" means the Chief Secretary to the Local Government, and includes any officer deputed for the time being by the Chief Secretary to perform his duties under these rules.

Electors.

2. (1) The Member specified in Regulation II, sub-head (vii), shall be elected by the votes of the non-official Additional Members of the Council of the Lieutenant-Governor of Bihar and Orissa (hereinafter referred to as electors).

(2) Every elector shall have one vote.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations, and having a place of residence within the province of Bihar and Orissa and such practical connection with that province as qualifies him to represent it, may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector then residing in India:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date appointed for the meeting of electors, or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of electors is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting papers the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

5. (1) On such date, not being less than three clear days before the date appointed for the meeting of electors, and at such time and place as may be appointed by

the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

6. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the meeting of electors, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. (1) Any elector may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein, or may deliver it to the Returning Officer at the meeting of electors.

(2) Any elector may also fill up a duplicate voting paper at the meeting of electors, provided that a voting paper so filled up shall be marked as a duplicate, and shall not be counted if the Returning Officer has received a voting paper previously filled up by the same elector.

(3) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign on the back thereof.

Meeting of electors and declaration of result.

8. On such date and at such time and place as may be appointed by the Local Government in this behalf, the electors shall meet for the purpose of electing the Member whom they are called upon to elect.

9. (1) At such meeting the Returning Officer shall attend, and shall examine the voting papers already received and those brought by any of the electors present to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be

deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse " rejected " with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 10(4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall thereupon count the votes in the presence of the electors.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nomination papers under rule 3 ;

(*b*) the scrutiny of nomination papers under rule 5 ;

(*c*) the sending of voting papers under rule 6 ; and

(*d*) the meeting of electors under rule 8.

FORM I.

(*See rule 3.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Returning Officer.

Instruction.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Governor General by the non-official Additional Members of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa.

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing the mark × opposite the name of the candidate to whom he desires to give his vote.

3. The voting paper shall be invalid if more than one vote is recorded on it.

4. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

5. After voting the elector shall sign the paper at the place indicated on the back, fold it, and send it to the Returning Officer by registered post, or deliver it to him at the meeting for the election. Voting papers not so signed shall be invalid.

Signature of Elector.

SCHEDULE IV.

[See Regulation II, sub-heads (v), (vi) and (viii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCILS OF THE LIEUTENANT-GOVERNORS OF THE PUNJAB AND BURMA, AND OF THE CHIEF COMMISSIONER OF ASSAM.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electors.

2. (1) The Members specified in Regulation II, sub-heads (v), (vi) and (viii), shall be elected by the votes of the non-official Members of the Councils of the Lieutenant-Governors of the Punjab and Burma, and of the Chief Commissioner of Assam, respectively.

(2) Every such Member shall have one vote.

3. On such date and at such time and place as may be appointed by the Local Government in this behalf, the non-official Members of each of the said Councils shall meet for the purpose of electing the Member whom they are called upon to elect.

4. (1) At such meeting the Returning Officer shall attend, and, after explaining the rules, shall deliver to each Member present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The Members present shall then proceed to elect from among themselves a Chairman, who shall in the first instance call upon the Members to nominate candidates.

Qualifications of candidates.

5. (1) Any person not ineligible for election under these Regulations, and having a place of residence within the province concerned and such practical connection with that province as qualifies him to represent it, may be nominated as a candidate:

Provided that the Chairman is satisfied that such person is willing to be so nominated.

(2) Such nomination may be made by any two Members as proposer and seconder, and the names of all candidates so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

Voting.

6 (1) If one candidate only is duly nominated, the candidate so nominated shall be declared to be elected, and the Chairman shall forthwith inform the Returning Officer of the name and address of such candidate.

(2) If more candidates than one are duly nominated, the Members present, including the Chairman, shall record their votes on the voting papers in accordance with the instructions thereon.

(3) Neglect on the part of the Member to comply with any of these instructions shall render the vote invalid.

(4) If any such Member is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Chairman shall assist him in such manner as may be necessary to do so.

7. The Chairman shall then inform the Returning Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated.

Counting of votes and declaration of result.

8. (1) The Returning Officer shall then collect the voting papers from the Members present, and shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall mark as "rejected" voting papers which he rejects on the ground that they are invalid under these rules, and, save as provided in rule 9 (4) or in Regulation XVI, such rejection shall be final.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

9 (1) The Returning Officer shall thereupon count the votes in the presence of the Members.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 8 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

13. The Local Government shall appoint such date, time and place as it may think suitable for the meeting of Members under rule 3, and shall notify the same in such manner as it thinks fit.

FORM I.

(See rule 4.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the non-official Members of the Legislative Council of the Lieutenant-Governor of the Punjab. / Lieutenant-Governor of Burma. / Chief Commissioner of Assam.

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each Member shall enter the name of the candidate to whom he desires to give his vote.

2. Each Member has one vote.

3. He shall vote by placing the mark × opposite the name of the candidate to whom he desires to give his vote.

4. The voting paper shall be invalid if more than one vote is recorded on it.

5. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

6. After voting the Member shall sign the paper at the place indicated on the back, fold it, and deliver it to the Returning Officer. Voting papers not so signed shall be invalid.

Signature of Member.

SCHEDULE V.

[*See Regulation II, sub-head (ix), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE DISTRICT COUNCILS AND MUNICIPAL COMMITTEES IN THE CENTRAL PROVINCES.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) The Member specified in Regulation II, sub-head (ix), shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed, by the members, other than officials appointed by name or *ex-officio*, of the District Councils and Municipal Committees specified below.

(2) The number of delegates which such District Councils and Municipal Committees are entitled to select shall be as follows :—

District Councils.

Nagpur District ...	... 3	Hoshangabad District ...	... 1
Bhandara „ ...	... 1	Narsinghpur „ ...	... 1
Chanda „ ...	... 1	Nimar „ ...	... 1
Wardha „ ...	... 1	Betul „ ...	... 1
Balaghat „ ...	... 1	Chhindwara „ ...	... 1
Jabalpur „ ...	... 3	Raipur „ ...	... 2
Saugor „ ...	... 1	Bilaspur „ ...	... 1
Damoh „ ...	... 1	Drug „ ...	... 1
Seoni „ ...	... 1		
		Total	... 22

Municipal Committees.

Nagpur	... 5	Balaghat	... 1	Mandla	... 1	Burhampur	... 1
Umrer	... 1	Jabalpur	... 3	Hoshangabad	1	Badnur	... 1
Bhandara	... 1	Saugor	... 2	Harda	... 1	Chhindwara	... 1
Chanda	... 1	Damoh	... 1	Narsinghpur	... 1	Raipur	... 2
Wardha	... 1	Seoni	... 1	Khandwa	... 1	Bilaspur	... 1
						Total	... 28

Selection of delegates.

3. (1) On such date as may be appointed by the Local Government in this behalf, the members above-mentioned of each District Council and Municipal

Committee specified in rule 2 shall meet for the purpose of selecting the number of delegates to which it may be entitled.

(2) At such meetings the Attesting Officer shall attend for the purpose of explaining the rules and shall then withdraw.

(3) The business of the meeting shall be conducted by the Chairman or President of the Council or Committee, or, in the absence of such Chairman or President, or if he is an official appointed by Government, by a Chairman elected for the purpose.

(4) The selection shall be conducted in accordance with the rules or bye-laws of the Council or Committee for the conduct of business :

Provided that a person already selected as a delegate for a District Council shall not be eligible as a delegate for a Municipal Committee, and *vice versâ*,

(5) When the selection is complete, the Chairman or President shall deliver to the Attesting Officer a list of the delegates selected.

(6) The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

4. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Central Provinces, and either is a member or has served at least three years as a member of any such District Council or Municipal Committee may be nominated as a candidate for election.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any member mentioned in rule 2 asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two such members :

Provided that no member shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form, and without delay despatched by registered post to the Returning Officer.

5. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers ; or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting papers the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where a member subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

8. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

9. (1) On such date and at such time and place as the Local Government may appoint in this behalf, the electors desirous of recording their votes shall attend for the purpose before the Returning Officer.

(2) The Returning Officer shall thereupon deliver to each elector a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Returning Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 11 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the selection of delegates under rule 3;

(*b*) the attestation of nomination papers under rule 4;

(*c*) the scrutiny of nomination papers under rule 7;

(*d*) the attestation of voting papers under rule 9; and

(*e*) the counting of votes under rule 11.

FORM I.

(*See rule 4*)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Address.
4. Signature of proposer.
5. Signature of seconder.

Signed in my presence by and
who are personally known to me (*or* are identified to my satisfaction) as members, other than officials appointed by name or *ex-officio* of the District Council / Municipal Committee —
of .

Date *Attesting Officer.*

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of 19 and between the hours of and , at the office of

FORM II.

(*See rule 9.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by Delegates of the District Councils and Municipal Committees in the Central Provinces. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate it is intended to apply.

4. The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

866HD

I hereby declare that I am a Delegate of the ~~District Council~~ / ~~Municipal Committee~~ of

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who ~~is personally known to me~~ / ~~has been identified to my satisfaction~~.

Returning Officer.

SCHEDULE VI.

[*See Regulation II, sub-head (x), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE PRESIDENCY OF FORT ST. GEORGE.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the Fort St. George Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Estate" means :—

(*a*) any permanently settled estate or temporarily settled Zamindari or any portion of such estate or Zamindari, provided that such portion is separately registered in the office of the Collector ;

(*b*) any unsettled palaiyam or jagir ;

(*c*) any village the land-revenue of which alone has been granted in inam to a person not owning the kudivaram thereof, if such grant has been made, confirmed or recognised by the British Government or any separated part of such village ;

(*d*) any portion consisting of one or more villages of any of the estates specified in clauses (*a*) and (*b*) which is held on a permanent under-tenure.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the Fort St. George Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(5) "Zamindar" means the holder of an estate, and includes a person in receipt of a málikhána allowance from Government.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (x), shall be elected by the votes of all landholders, being persons qualified to vote and having a place of residence in the Presidency of Fort St. George, who—

(*a*) possess an annual income, calculated as provided in rules 3, 4, 5 and 6, of not less than fifteen thousand rupees derived from land situated within the Presidency, or

(*b*) receive from Government a málikhána allowance the annual amount of which is not less than fifteen thousand rupees.

3. For the purposes of rule 2 the annual income of a zamindár from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

4. (1) For the purposes of rule 2 the annual income of landholders other than zamindárs shall be calculated as follows :—

(*a*) the income of ryotwári holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated ;

(*b*) the income of ryotwári holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased ;

(*c*) the income of holders of ináms shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash jodi, quit-rent or similar charge payable to Government ;

(*d*) the income of tenants of zamindárs and inámdárs shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884 :

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (*d*), there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable, for land of similar description and with similar advantages in the village or in neighbouring villages ; and

(*e*) the income of sub-tenants shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule :

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 3.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule 3 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

5. In all cases under rule 3 and rule 4, the annual income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. (1) In calculating the annual income of all landholders for the purposes of rule 2—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a málikhána allowance ;

(*b*) subject to the provisions of clause (*a*), incomes derived from more than one parcel of land, however held, may be reckoned together :

Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14 the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint-holders or family in respect of the former land.

(2) In no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account.

7. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) During the month of July in each year the Returning Officer shall prepare and publish in the Fort St. George Gazette and in the official Gazette of each district concerned a draft electoral roll in Form I annexed to this Schedule, together with a notice stating that any objection relating to entries in or omissions from the electoral roll may be preferred on or before the 31st of August to the Collector of the district concerned.

(2) Such Collector shall fix a place and a date not later than the 30th of September for hearing objections to the electoral roll, and shall give notice of the place and date so fixed to all persons concerned in such manner as the Local Government may prescribe.

(3) The Collector may, before the date fixed by him under sub-rule(2) of his own motion, revise the electoral roll so far as it relates to his district; any alteration in the roll made on such revision shall be published previous to the date fixed under sub-rule (2) in such manner as the Local Government may prescribe.

(4) The Collector shall at the place and on the date fixed under sub-rule (2) hear and decide objections to the electoral roll as also to any revision of the roll made by him of his own motion.

(5) On the 1st of October the Collector shall send a copy of the electoral roll as revised to the Returning Officer.

(6) The Returning Officer shall publish the final electoral roll in the Fort St. George Gazette and in the official Gazettes of the districts concerned on or before the 31st of October, and such electoral roll shall come into force on the 1st of November and continue in force until the publication of the next final electoral roll.

(7) The Local Government may, from time to time by notification in the Fort St. George Gazette and the official Gazettes of the districts concerned, alter the dates specified in this rule.

10. The electoral roll in force at the date of the notification issued by the Governor General under these Regulations calling upon the electorate to elect a Member under these rules shall be conclusive evidence for the purpose of determining whether any person is or is not qualified to vote at such election.

11. (1) A person who is nominated, or entitled, under rule 13, sub-rule (2), or rule 14, to represent a group of joint-owners or a joint-family, and who is himself possessed of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or in his separate capacity.

(2) Every such person shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint-holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint-holders within the meaning of this rule.

14. (1) Where the property of a tarwád or similar joint-family under the Marumakkátayam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote,

the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes.

(2) If the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualification in his own personal right and not in a fiduciary capacity.

Qualifications and nomination of candidates.

16. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf; and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

17. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected:

18. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer, who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

19. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

20. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

21. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

22. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

23. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine

which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 24 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

24. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 23 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

25. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

26. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

27. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the Fort St. George Gazette and in the Gazette of India.

Appointment of dates, times and places.

28. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 16;

(*b*) the scrutiny of nomination papers under rule 19;

(*c*) the attestation of voting papers under rule 21; and

(*d*) the counting of votes under rule 24.

FORM I.

(See rule 9.)

ELECTORAL ROLL OF LANDHOLDERS IN THE PRESIDENCY OF FORT ST. GEORGE FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on general roll.	Serial No on district roll.	Name of elector.	Name of Elector's father, kárnaván or ejman.	Address.	Qualifications.	Whether representing joint-family or joint-landowners.	Serial No. in previous general electoral roll.
1	2	3	4	5	6	7	8

FORM II.

(*See rule 16.*)

NOMINATION PAPER.

1. Name of candidate.

2. Name of father, kárnáván or ejman.

3. Age.

4. Address.

5. Place of residence.

6. District under which the name of the candidate is entered in the electoral roll.

7. Number borne by candidate on the general electoral roll.

8. Signature of proposer.

9. Signature of seconder.

Signed in my presence on the day of 19 by and who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and in the extract relating to this district from the electoral roll of Landholders in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

STATION.

Attesting Officer.

DISTRICT.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of 19 and between the hours of and at the office of

FORM III.

(See rule 21.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in the Presidency of Fort St. George. The following ( ) candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Landholders in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(*See rule 22.*)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VII.

[*See Regulation II, sub-head (xi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE PRESIDENCY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (*xi*), shall be elected in the order of rotation hereinafter specified by such—

(*a*) Jagirdars and Zamindars of Sind,

(*b*) Sardars of Gujarat, and

(*c*) Sardars of the Deccan,

as are qualified to vote for the election of Additional Members of the Legislative Council of the Governor of Bombay.

2. The order of rotation in which each of the three abovementioned classes of landholders shall exercise its right of election shall be as follows, namely :—

(*1*) the Sardars of Gujarat;

(*2*) the Jagirdars and Zamindars of Sind;

(*3*) the Sardars of the Deccan;

(*4*) the Jagirdars and Zamindars of Sind;

and thereafter in the same order of rotation.

3. The rules for the election of an Additional Member of the Legislative Council of the Governor of Bombay by each of the abovementioned classes shall apply with the necessary modifications to the election by such class of a Member under this Schedule.

4. The result of the election in each case shall be reported to the Secretary to the Government of India in the Legislative Department, as well as to the Secretary of the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the Gazette of India as well as in the local official Gazette.

SCHEDULE VIII.

[*See Regulation II, sub-head (xii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE PRESIDENCY OF BENGAL.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (xii), shall be made by landholders qualified to vote and having a place of residence within the Presidency of Bengal, who—

(*a*) pay land-revenue or road and public works cesses, as follows:—

(i) in the case of the Presidency and Burdwan Divisions, land-revenue amounting to not less than ten thousand rupees, or road and public works cesses amounting to not less than two thousand five hundred rupees per annum;

(ii) in the case of the Rajshahi, Dacca and Chittagong Divisions, land-revenue amounting to not less than five thousand rupees, or road and public works cesses amounting to not less than one thousand two hundred and fifty rupees per annum; or

(*b*) before the date of this Notification held titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll for each Division in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any landholder whose name does not appear in any such draft, and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub-rule (1) of this rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if such landholder or person resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll for any Division in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in such Division and, in the case of the Presidency Division, also at the office of the Chief Presidency Magistrate.

4. In determining the eligibility of a landholder as an elector—

(*a*) only such estates and shares of estates as are held by him as proprietor in his own right and not in a fiduciary capacity, and are

registered in his own name in registers maintained under the Land Registration Act, 1876, whether such estates or shares are situated in one or more Divisions, shall be taken into account;

(*b*) if the amount paid by the landholder in respect of any such share of an estate is not definitely known, the District Officer of the district in which such estate is situated shall estimate the amount so paid in respect of such share, and his decision shall be final;

(*c*) if a landholder pays land revenue or cesses in respect of estates or shares in estates situated in two or more Divisions, and if his payments in none of such Divisions reach the amount prescribed for that Division, his payments in all the Divisions shall be aggregated, and if such aggregate equals or exceeds the amount prescribed for the Division in which he makes the largest payment, he shall be entitled to be entered in the electoral roll for that Division.

5. The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6 (1) The electoral rolls published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on any of the said electoral rolls and who claims to have his name included therein and any person who objects to the entry of any name in any such roll, may, within fifteen days after the publication of the notification under the last sub-rule, forward to the Returning Officer either direct or through the District Magistrate of the district in which he resides or, if such landholder or person resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on any of the electoral rolls may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers; or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

10. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or the District Magistrate for the same at any time on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P. M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post, in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list, in Form IV annexed to this Schedule, of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 12 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of drafts and electoral rolls under rule 3;
(*b*) the revision of the electoral rolls under rule 6;
(*c*) the attestation of nomination papers under rule 7;
(*d*) the scrutiny of nomination papers under rule 9;
(*e*) the sending of voting papers under rule 10;
(*f*) the attestation of voting papers under rule 10 and
(*g*) the counting of votes under rule 12.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF LANDHOLDERS FOR THE DIVISION IN BENGAL FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No.	District.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Landholders for the Division in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Dated the , (*Official designation.*)

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation at on or before the day of 19 and between the hours of and .

FORM III.

(See rule 10).

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in Bengal. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Landholders for the Division in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

E. N.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.

Attesting Officer.

Dated the (*Official designation.*)

FORM IV.

(*See rule 10.*)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Father's name.	Address of elector.
1	2	3	4

Attesting Officer.
(*Official designation.*)

SCHEDULE IX.

[*See Regulation II, sub-head (xiii), and Regulation III.*

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) " Attesting Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(3) " Returning Officer " means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) In the case of the second, fourth and succeeding alternate elections the Member specified in Regulation II, sub-head (xiii), shall be elected by the landholders of the Province of Oudh.

(2) In the case of the first, third and succeeding alternate elections—

(*a*) the Member specified in Regulation II, sub-head (xiii), shall be elected by the landholders of the Province of Agra, and

(*b*) the second Member specified in the said Regulation in connection with sub-head (xiii) shall be elected by Muhammadans entitled to vote as landholders in the Provinces of Oudh and Agra.

Explanation.—The expression " alternate elections " shall not be deemed to include elections to fill casual vacancies.

A.—Elections by Landholders in the Province of Oudh.

3. (1) The election of the Member specified in rule 2, sub-rule (1), shall be made by the British Indian Association of Oudh at an extraordinary general meeting in the manner laid down for the time being in the bye-laws of the said Association for carrying resolutions or recording decisions upon questions of business brought before that body:

Provided that, where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn at such meeting and in such manner as the Chairman thereof may determine.

(2) The result of the election shall be forthwith communicated by the said Association to the Chief Secretary to the Local Government and to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

4. Any person not ineligible for election under these Regulations and having a place of residence in the Province of Oudh who is a member of the British Indian Association of Oudh may be elected under rule 3.

B.—Elections by Landholders in the Province of Agra.

Qualifications of electors.

5. The election of the Member specified in rule 2, sub-rule (2), clause (*a*), shall be made by all persons qualified to vote and having a place of residence in the Province of Agra, who—

(*a*) own in that Province land in respect of which land-revenue amounting to not less than ten thousand rupees per annum is payable, or

(*b*) own in that Province land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either taken by itself or in addition to land-revenue payable in respect of other land by such owners, amounts to not less than ten thousand rupees per annum, or

(*c*) hold the title of Maharaja, Raja or Nawab conferred or recognised by the Government, or

(*d*) hold the title of Rajwar, Rao Bahadur, Rao, Rai, Mirza Bahadur, Mirza, Khan Bahadur, Chaudhri, or Diwan if hereditary and recognised by the Government :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

6. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint-family or of a firm or company qualified under rule 5, clause (*a*) or clause (*b*), the name of the manager of the family, or of any person duly authorised in writing in this behalf by the firm or company shall be entered in the roll as the representative for the purposes of the roll of such family, firm or company, as the case may be.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

7. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

8. (1) The electoral roll published under rule 6 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 6.

Qualifications and nomination of candidates.

9. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

10. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

11. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer, who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

12. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

13. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

14. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

15. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list, in Form IV annexed to this Schedule, of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

16. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first-both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 17 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

17. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 16 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

18. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

19. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

20. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

21. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 6;

(*b*) the attestation of nomination papers under rule 9;

(*c*) the scrutiny of nomination papers under rule 12;

(*d*) the attestation of voting papers under rule 14; and

(*e*) the counting of votes under rule 17.

C.—Elections by Muhammadans entitled to vote as Landholders in Oudh and Agra.

22. The election of the Member specified in rule 2, sub-rule (2), clause (*b*), shall be made by all Muhammadans who are—

(*a*) members of the British Indian Association of Oudh, or

(*b*) entitled to vote under the provisions of rule 5.

23. The provisions of rules 6 to 21, both inclusive, shall apply, with the necessary modifications, to elections under rule 22.

FORM I.

(*See rule 6.*)

ELECTORAL ROLL OF LANDHOLDERS IN THE PROVINCE OF AGRA FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 5 (*a*) or 5 (*b*) who pays land-revenue or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed ten thousand rupees.

3. In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

FORM II.

(*See rule 9.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Landholders in the Province of Agra for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of , and between the hours of and , at the office of .

FORM III.

(*See rule 14.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in the Province of Agra. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Landholders in the Province of Agra for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.

Elector.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction.)

X. Y.,

Attesting Officer.

FORM IV.

(See rule 15.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE X.

[*See Regulation II, sub-head (xiv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN BIHAR AND ORISSA.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (xiv), shall be made by landholders qualified to vote and having a place of residence within the Province of Bihar and Orissa, who—

(*a*) pay land-revenue amounting to not less than ten thousand rupees, or road and public works cesses amounting to not less than two thousand five hundred rupees per annum; or

(*b*) before the date of this Notification held titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll for each Division in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any landholder whose name does not appear in any such draft, and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll for any Division in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in such division.

4. (1) In determining the eligibility of a landholder as an elector—

(*a*) only such estates and shares of estates as are held by him as proprietor in his own right and not in a fiduciary capacity, and are

registered in his own name in registers maintained under the Land Registration Act, 1876, whether such estates or shares are situated in one or more Divisions, shall be taken into account;

(*b*) if the amount paid by the landholder in respect of any such share of an estate is not definitely known, the District Officer of the district in which such estate is situated shall estimate the amount so paid in respect of such share, and his decision shall be final;

(*c*) if a landholder pays land-revenue or cesses in respect of estates or shares in estates situated in two or more Divisions, and if his total payments reach the amount prescribed in rule 2, he shall be entitled to be entered in the electoral roll for the Division in which he makes the largest payments.

(2) In the case of a Hindu joint-family or of a firm or company qualified under rule 2, the name of the manager of the family, or of any person duly authorised in writing in this behalf by the firm or company, shall be entered in the roll as the representative for the purposes of the roll of such family, firm or company, as the case may be.

5. The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral rolls published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on any of the said electoral rolls, and who claims to have his name included therein, and any person who objects to the entry of any name in any such roll, may, within fifteen days after the publication of the notification under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on any of the electoral rolls may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers ; or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

10. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or the District Magistrate for the same at any time on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 p.m. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post, in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list, in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 12 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period

of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of drafts and electoral rolls under rule 3;

(*b*) the revision of the electoral roll under rule 6 ;

(*c*) the attestation of nomination papers under rule 7;

(*d*) the scrutiny of nomination papers under rule 9 ;

(*e*) the sending of voting papers under rule 10 ;

(*f*) the attestation of voting papers under rule 10; and

(*g*) the counting of votes under rule 12.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF LANDHOLDERS FOR THE DIVISION IN BIHAR AND ORISSA FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No.	District.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5	6

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Landholders for the Division in Bihar and Orissa for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

(*Official designation.*)

Dated the

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation at on or before the day of 19 and between the hours of and

FORM III.

(*See rule 10.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in Bihar and Orissa. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as No. on the electoral roll of Landholders for the Division in Bihar and Orissa for the election of an Additional Member to the Legislative Council of the Governor General.

(*Fold on this line.*)

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

Dated the

Attesting Officer.

(*Official designation.*)

FORM IV.

(See rule 10.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Father's name.	Address of elector.
1	2	3	4

Attesting Officer.

(Official designation.)

SCHEDULE XI.

[*See Regulation II, sub-head (xv), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE LAND-HOLDERS IN THE CENTRAL PROVINCES.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. (1) The Member specified in Regulation II, sub-head (xv), shall be elected by the votes of delegates to be selected in the manner hereinafter prescribed by all persons qualified to vote and having a place of residence in the Central Provinces who hold land in those Provinces in proprietary right and—

(*a*) whose land is assessed to land-revenue at not less than five thousand rupees per annum; or

(*b*) whose names are entered in the Durbar list prepared under the authority of the Local Government; or

(*c*) who hold the office of Honorary Magistrate:

Provided that no person shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint-family qualified under rule 2, clause (*a*), the name of the manager of the family, or of any member of the family whom the manager may appoint in writing in this behalf, shall be entered in the roll as the representative, for the purposes of the roll, of such family.

(3) In determining the eligibility of a landholder as an elector, only land-revenue assessed on such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) A person who is qualified as an elector for two or more districts may choose the district in which he desires to vote, but shall not be entitled to have his name entered in the electoral roll of more than one district.

(5) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every Deputy Commissioner.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Deputy Commissioner may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Deputy Commissioner, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the Deputy Commissioner to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against :

Provided, however, that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Selection of delegates.

6. The number of delegates to be selected for each district shall be as follows :—

Nagpur District	...	...	4	Hoshangabad District	...	...	3
Bhandara „	...	...	2	Narsinghpur „	...	...	3
Chanda „	...	...	2	Nimar „	...	...	2
Wardha „	...	...	3	Betul „	...	...	1
Balaghat „	...	...	1	Chhindwara „	...	...	1
Jabalpur „	...	...	4	Raipur „	...	...	3
Saugor „	...	...	3	Bilaspur „	...	...	2
Damoh „	...	...	1	Drug „	...	...	3
Seoni „	...	...	1				
Mandla „	...	...	1		Total	...	40

7. On such date and at such time as may be appointed by the Local Government in this behalf, the persons whose names are entered in the electoral roll of each district shall meet at the headquarters of that district for the purpose of selecting from among themselves the number of delegates specified in rule 6.

8. (1) At such meeting the Attesting Officer shall attend, and, after explaining the rules, shall sign and deliver to each elector present a voting paper in Form II hereto annexed, and shall thereafter withdraw.

(2) The electors present shall then proceed to elect from among themselves a Chairman, who shall in the first instance state the number of delegates to be selected, and call upon such electors to nominate persons up to that number.

9. (1) Any person whose name is on the electoral roll may be nominated for selection as a delegate by any two other such persons as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

(2) If the number of persons nominated does not exceed the number of delegates assigned to the district as aforesaid, such persons shall be deemed to be selected as delegates, and the Chairman shall forthwith inform the Attesting Officer of their names and addresses.

(3) If the number of persons nominated exceeds the number of delegates assigned as aforesaid, the electors present, including the Chairman, shall record their votes in the manner prescribed in the voting paper, and deliver the voting papers to the Chairman.

10. (1) The Chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated, together with the voting papers.

(2) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the electors, and shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard on the ground that it does not comply with the instructions on the voting paper.

11. (1) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate or candidates to whom the largest numbers of votes have been given to be selected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

12. Upon the completion of the counting, and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

13. The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected, and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

14. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate.

(2) Such nomination shall be made by means of a nomination paper in Form III annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

15. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

16. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify any such withdrawal in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

17. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

18. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

19. (1) On such date and at such time and place as the Local Government may appoint in this behalf, the delegates desirous of recording their votes shall attend for the purpose before the Returning Officer.

(2) The Returning Officer shall thereupon deliver to each delegate a voting paper in Form IV annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The delegate shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The delegate shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The delegate shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Returning Officer.

(6) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

(7) If a delegate is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

Counting of votes and declaration of result.

20. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where a delegate records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 21 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the delegate, and shall seal down the portion thus folded with his official seal.

21. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 20 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

22. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

23. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

24. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

25. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of the electoral roll under rule 3 ;

(*b*) the selection of delegates under rule 7 ;

(*c*) the attestation of nomination papers under rule 14 ;

(*d*) the scrutiny of nomination papers under rule 17 ;

(*e*) the attestation of voting papers under rule 19 ; and

(*f*) the counting of votes under rule 21.

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FORM I.

(*See rule 3.*)

ELECTORAL ROLL OF LANDHOLDERS IN THE CENTRAL PROVINCES FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

DISTRICT.

1	2	3	4	5
Serial No.	Name of elector.	Father's name.	Address.	Qualifications.

FORM II.

(See rule 8.)

VOTING PAPER.

$\frac{\text{Delegate is}}{\text{Delegates are}}$ to be selected by the Landholders of the District.

Serial No.	Names of candidates.	Votes.

Attesting Officer.

Instructions.

1. Each elector shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each elector has as many votes as there are delegates to be selected.

3. If he has more votes than one, he may give all his votes to one candidate, or may distribute them in any manner he thinks fit among the candidates.

4. He shall vote by placing, or causing to be placed, opposite the name or names of the candidate or candidates, the mark × or as many such marks as the number of votes which he desires to give to such candidate.

5. The voting paper will be rejected if the total number of votes recorded on it exceeds the number of delegates to be selected.

6. If the mark denoting any vote is so placed as to render it doubtful to which candidate such mark is intended to apply, the vote will be discarded.

FORM III.

(*See rule 14.*)

NOMINATION PAPER

1. Name of candidate.

2. Father's name.

3. Address.

4. Signature of proposer.

5. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Landholders in the Central Provinces for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Date

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of , and between the hours of and , at the office of

FORM IV.

(See rule 19.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by Delegates selected by Landholders in the Central Provinces. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each delegate has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. The delegate shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

866HD

I hereby declare that I am a Delegate for the election of an Additional Member to the Legislative Council of the Governor General by the Landholders in the Central Provinces.

C. N.,

Delegate.

(*Fold on this line.*)

Signed in my presence by the Delegate, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Returning Officer.

SCHEDULE XII.

[See Regulation II, sub-head (xvi), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF FORT SAINT GEORGE.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the Fort St. George Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Estate" means—

(*a*) any permanently settled estate or temporarily settled Zamindari or any portion of such estate or Zamindari provided that such portion is separately registered in the office of the Collector;

(*b*) any unsettled palaiyam or jagir;

(*c*) any village the land-revenue of which alone has been granted in inam to a person not owning the kudivaram thereof, if such grant has been made, confirmed or recognised by the British Government or any separated part of such village;

(*d*) any portion consisting of one or more villages of any of the estates specified in clauses (*a*) and (*b*) which is held on a permanent under-tenure.

(4) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(5) "Returning Officer" means such officer as the Local Government may, by notification in the Fort St. George Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(6) "Zamindár" means the holder of an estate, and includes a person in receipt of a málikhána allowance from Government.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (xvi), shall be elected by Muhammadans of the Presidency of Fort St. George.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Presidency of Fort St. George, who—

(*a*) are landholders possessing an annual income from land situated within the Presidency of Fort St. George of not less than three thousand rupees; or

(*b*) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than six thousand rupees; or

(*c*) are members of the Legislative Council of the Governor of Fort St. George; or

(*d*) are Ordinary or Honorary Fellows of the University of Madras; or

(*e*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal ; or

(*f*) are in receipt of pensions of rupees fifteen per mensem and upwards for service as gazetted or commissioned officers of Government.

4. For the purposes of rule 3, the annual income of a zamindár from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

5. (1) For the purposes of rule 3, the annual income of landholders other than zamindárs shall be calculated as follows :—

(*a*) the income of ryotwári holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated ;

(*b*) the income of ryotwári holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased ;

(*c*) the income of holders of iná̀ms shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash, jodi, quit-rent or similar charge payable to Government ;

(*d*) the income of tenants of zamindárs and inámdárs shall be taken to be equal to two-thirds of the annual rent-value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884 :

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (*d*) there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of similar description and with similar advantages in the village or in neighbouring villages ;

(*e*) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If in any case a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule :

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 4.

(3) If in any case, it is not possible to calculate income from land in accordance with rule 4 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases under this rule and rule 4, the income shall be calculated on the figures of the latest fasli year for which figures are available or in cases where figures for the fasli year are not available, then proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of all landholders for the purposes of rule 3,—

(*a*) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a málikhána allowance ;

(*b*) subject to the provisions of clause (*a*), incomes derived from more than one parcel of land, however held, may be reckoned together: Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules, to represent the joint-holders or family in respect of the former land;

(*c*) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account, nor shall income derived from land be reckoned with income derived from any other source.

7. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) During the month of July in each year the Returning Officer shall prepare and publish in the Fort St. George Gazette and in the official Gazette of each district concerned a draft electoral roll in Form I annexed to this Schedule, together with a notice stating that any objection relating to entries in or omissions, from the electoral roll may be preferred on or before the 31st of August to the Collector of the district concerned.

(2) Such Collector shall fix a place and a date not later than the 30th of September for hearing objections to the electoral roll, and shall give notice of the place and date so fixed to all persons concerned in such manner as the Local Government may prescribe.

(3) The Collector may before the date fixed by him under sub-rule (2) of his own motion revise the electoral roll so far as it relates to his district; any alteration in the roll made on such revision shall be published previous to the date fixed under sub-rule (2) in such manner as the Local Government may prescribe.

(4) The Collector shall at the place and on the date fixed under sub-rule (2) hear and decide objections to the electoral roll as also to any revision of the roll made by him of his own motion.

(5) On the 1st of October the Collector shall send a copy of the electoral roll as revised to the Returning Officer.

(6) The Returning Officer shall publish the final electoral roll in the Fort St. George Gazette and in the official Gazettes of the districts concerned on or before the 31st of October, and such electoral roll shall come into force on the 1st of November and continue in force until the publication of the next final electoral roll.

(7) The Local Government may, from time to time by notification in the Fort St. George Gazette and the official Gazettes of the districts concerned, alter the dates specified in this rule.

10. The electoral roll in force at the date of the notification issued by the Governor General under these Regulations, calling upon the electorate to elect a Member under these rules shall be conclusive evidence for the purpose of determining whether any person is or is not qualified to vote at such election.

11. A person who is nominated, or entitled, under rule 13, sub-rule (2), or rule 14, 15 or 16, to represent a group of joint owners, a joint-family or a firm, and who is himself possessed of a personal qualification or of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint-holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint-holders within the meaning of this rule.

14. Where the property of a tarwád or similar joint-family under the Marumakkatáyam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes ; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Where a joint-family is assessed as such to pay income-tax, a majority of the adult male members of the family may nominate in writing any one of themselves who is qualified to vote as their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of the payment of income-tax.

16. Where a firm, composed solely of Muhammadan members, pays income-tax on the prescribed minimum income, a majority of the adult male members of the firm may nominate in writing one of themselves who is qualified to vote on behalf of the firm, and his name only shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the electoral roll in respect of the firm.

17. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualifications in his own personal right and not in a fiduciary capacity.

Qualifications and nomination of candidates.

18. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be duly attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

19. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

20. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer, who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

21. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

22. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

23. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

24. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list, in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

25. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 26 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

26. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting paper, sealed as provided by rule 25, to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

27. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

28. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

29. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the Fort St. George Gazette and in the Gazette of India.

Appointment of dates, times and places.

30. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the attestation of nomination papers under rule 18 ;
(*b*) the scrutiny of nomination papers under rule 21 ;
(*c*) the attestation of voting papers under rule 23 ; and
(*d*) the counting of votes under rule 26.

FORM I.

(See rule 9.)

ELECTORAL ROLL OF MUHAMMADANS IN THE PRESIDENCY OF FORT ST. GEORGE FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on general roll.	Serial No. on district roll.	Name of elector.	Name of elector's father, karnavan or ejman.	Address.	Qualifications	Whether representing joint-family or joint-landowners.	Whether representing a firm.	Serial No. in previous general electoral roll.
1	2	3	4	5	6	7	8	9

FORM II.

(*See rule 18.*)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father, karnavan or ejman.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the day of 19 by and , who are personally known to me (*or* who have been identified to my satisfaction) as voters Nos. and in the extract relating to this district from the electoral roll of Muhammadans in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

STATION.

DISTRICT. *Attesting Officer.*

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the day of and between the hours of and at the office of

FORM III.

(*See rule 23.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in the Presidency of Fort St. George. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(*Fold on this line.*)

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 24.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE XIII.

[*See Regulation II, sub-head (xvii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (xvii), shall be elected by the votes of the Muhammadan non-official Additional Members of the Legislative Council of the Governor of Bombay.

2. Any person not ineligible for election under these Regulations, and qualified to vote for the election of an Additional Member by the Muhammadan community in the Presidency of Bombay to the said Legislative Council, shall be eligible for election.

3. The rules for the election of an Additional Member to the Legislative Council of the Governor General by the non-official Additional Members of the Legislative Council of the Governor of Bombay shall apply with the necessary modifications to every election under this Schedule.

SCHEDULE XIV.

[*See Regulation II, sub-head (xviii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF BENGAL.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. The Member or Members specified in Regulation II in connection with sub-head (xviii) shall be elected as follows:—

(1) At the first, third and succeeding alternate elections, one Member shall be elected for the electoral area comprising the whole of the Presidency of Bengal;

(2) At the second, fourth and succeeding alternate elections, one Member shall be elected for each of the following electoral areas, namely:—

(*a*) Electoral area I, comprising the Presidency and Burdwan Divisions;

(*b*) Electoral area II, comprising the Rajshahi, Dacca and Chittagong Divisions.

Explanation.—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

Qualifications of electors.

3. The election shall be made by the votes of all Muhammadans who have a place of residence in the electoral area concerned and are not disqualified from voting under these Regulations, and possess any one of the following qualifications, namely:—

(*a*) are Members of the Legislative Council of the Governor of Fort William in Bengal; or

(*b*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or of the Order of the Indian Empire, or holders of a Kaisar-i-Hind Medal; or

(*c*) are Ordinary or Honorary Fellows of the University of Calcutta; or

(*d*) own in their own right, and not in a fiduciary capacity, land or a share in land in respect of which land or share land-revenue amounting to not less than seven hundred and fifty rupees is payable per annum; or

(*e*) own in their own right, and not in a fiduciary capacity, land or a share in land in respect of which land or share road and public works cesses amounting to not less than one hundred and eighty-seven rupees eight annas are payable per annum to Government, either directly or through a superior landlord; or

(*f*) hold in their own right, and not in a fiduciary capacity, as permanent tenure holders, one or more tenures held direct from the Zamindar, or shares of such tenures, in respect of which tenures or shares road and public works cesses amounting to not less than one hundred and eighty-seven rupees eight annas are payable per annum; or

(*g*) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than six thousand rupees per annum; or

(*h*) are in receipt of pensions for service as gazetted or commissioned officers of the Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall publish in the local official Gazette a draft electoral roll in Form I annexed to this Schedule for the electoral area or for each of the electoral areas, as the case may be, specified in rule 2.

(2) Any Muhammadan whose name does not appear in any such draft, and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub-rule (1) of this rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if he resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims and objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll or rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll for any electoral area in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in the Divisions comprised in such electoral area, and, in the case of the roll for any electoral area comprising the Presidency Division, also at the office of the Chief Presidency Magistrate.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll or rolls published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate, so far as the roll relates to his district, and the Chief Presidency Magistrate, so far as such roll relates to Calcutta, may of his own motion, and shall on the application of any person whose name appears on any such roll, or who claims to have his name inserted therein, revise the said roll.

(3) On such revision the District Magistrate or Chief Presidency Magistrate, after such inquiry and after hearing such persons as he may consider necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate or Chief Presidency Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll or rolls as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll for the electoral area concerned, may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

10. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions contained on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list, in Form IV annexed to this Schedule, of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11 (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 12 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed, as provided by rule 11, to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the publication of drafts and electoral rolls under rule 4;

(*b*) the revision of electoral rolls under rule 6;

(*c*) the attestation of nomination papers under rule 7;

(*d*) the scrutiny of nomination papers under rule 9;

(*e*) the sending of voting papers under rule 10;

(*f*) the attestation of voting papers under rule 10; and

(*g*) the counting of votes under rule 12.

FORM I.

(See rule 4.)

ELECTORAL ROLL OF MUHAMMADANS IN FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5

FORM II.

(*See rule 7.*)

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Muhammadans in for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Dated the

(*Official designation.*)

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of 19 , and between the hours of and at the office of an Attesting Officer.

FORM III.

(*See rule 10.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in . The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of an Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope between the hours of and on any day before the day of 19 .

I hereby declare that I am the person whose name appears as (
) No. on the electoral roll of Muhammadans in
for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

.....

Signed in my presence by the elector, who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

Dated the (*Official designation.*)

FORM IV.

(See rule 10.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:

Serial No.	Name of elector.	Father's name.	Address.
1	2	3	4

Attesting Officer.

(Official designation.)

SCHEDULE XV.

[*See Regulation II, sub-head* (*xix*), *and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (xix), shall be elected by the votes of all Muhammadans qualified to vote and having a place of residence in the said Provinces, who—

(*a*) own land in respect of which land-revenue amounting to not less than ten thousand rupees is payable per annum ; or

(*b*) own land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either taken by itself or in addition to land-revenue payable in respect of other land by such owners, amounts to not less than ten thousand rupees per annum ; or

(*c*) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than ten thousand rupees per annum ; or

(*d*) are Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh ; or

(*e*) are Ordinary or Honorary Fellows of the University of Allahabad ; or

(*f*) are Trustees of the Muhammadan Anglo-Oriental College, Aligarh ; or

(*g*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal ; or

(*h*) are in receipt of pensions for service as gazetted or commissioned officers of the Government ; or

(*i*) are Honorary Assistant Collectors, Honorary Magistrates or Honorary Munsifs :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) When a firm or company is composed exclusively of persons who are Muhammadans, and such firm or company is qualified under rule 2, clause (*a*), or clause (*b*) or clause (*c*), the name of any person duly authorised in writing in this behalf by the firm or company shall be entered in the roll as the representative for the purposes of the roll of such firm or company.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such inquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations and whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form 11 annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

8. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to the Attesting Officer, who shall thereupon remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

10. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and, after closing the envelope, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list, in Form IV annexed to this Schedule, of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 14 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed, as provided by rule 13, to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the electoral roll under rule 3 ;

(*b*) the attestation of nomination papers under rule 6 ;

(*c*) the scrutiny of nomination papers under rule 9;

(*d*) the attestation of voting papers under rule 11 ; and

(*e*) the counting of votes under rule 14.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF MUHAMMADANS IN THE UNITED PROVINCES OF AGRA AND OUDH FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No. on roll.	Serial No. on district list.	Name of elector.	Father's name.	Address.	Qualifications.
1	2	3	4	5	6

Instructions.

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 2 (*a*) or 2 (*b*) who pays land-revenue, or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6 where the land-revenue payable or nominally assessed in any one district does not exceed Rs. 10,000.

3. In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

4. In the case of an elector qualified under rule 2 (*c*), the entry in column 6 shall be "Payment of income-tax" and shall not state the actual income on which tax is paid.

FORM II.

(*See rule 6*).

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and who are personally known to me (*or* who have been identified to my satisfaction) as being the persons whose names appear as and on the electoral roll of Muhammadans in the United Provinces of Agra and Oudh for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the day of 19 , and between the hours of and , at the office of .

FORM III.

(See rule 11.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in the United Provinces of Agra and Oudh. The following ( ) candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as on the electoral roll of Muhammadans in the United Provinces of Agra and Oudh for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(Fold on this line).

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction.)

X. Y.,

Attesting Officer.

FORM IV.

(See rule 12.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE XVI.

[*See Regulation II, sub-head* (*xx*), *and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN BIHAR AND ORISSA.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (xx), shall be elected by the votes of all Muhammadans having a place of residence in the Province of Bihar and Orissa who are qualified to vote, and possess any one of the following qualifications, namely :—

(*a*) are members of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa ; or

(*b*) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or of the Order of the Indian Empire, or holders of the Kaisar-i-Hind Medal ; or

(*c*) are Ordinary or Honorary Fellows of the University of Calcutta ; or

(*d*) own in their own right, and not in a fiduciary capacity, land or a share in land in respect of which land or share land-revenue amounting to not less than seven hundred and fifty rupees is payable per annum ; or

(*e*) own in their own right, and not in a fiduciary capacity, land or a share in land in respect of which land or share road and public works cesses amounting to not less than one hundred and eighty-seven rupees eight annas are payable per annum to Government, either directly or through a superior landlord ; or

(*f*) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than six thousand rupees per annum ; or

(*g*) are in receipt of pensions for service as gazetted or commissioned officers of the Government :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before suchdate as may be appointed by the Local Government in this behalf, a draft electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any Muhammadan whose name does not appear in such draft, and who claims to have his name included therein, and any person who objects to

the entry of any name in such draft, may, within fifteen days after the publication of the draft under sub-rule (1) of this rule, forward to the Returning Officer, either direct or through the District Magistrate of the District in which he resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims and objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll, published under rule 3, shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may, of his own motion, and shall, on the application of any person whose name appears on any such roll, or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such inquiry and after hearing such persons as he may consider necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if any appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

Voting.

9. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of the Attesting Officer in accordance with the instructions contained on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list, in Form IV annexed to this Schedule, of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

10 (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 11 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

(*a*) the publication of the draft and electoral roll under rule 3;

(*b*) the revision of the electoral roll under rule 5;

(*c*) the attestation of nomination papers under rule 6;

(*d*) the scrutiny of nomination papers under rule 8;

(*e*) the sending of voting papers under rule 9;

(*f*) the attestation of voting papers under rule 9; and

(*g*) the counting of votes under rule 11.

FORM I.

(See rule 3.)

ELECTORAL ROLL OF MUHAMMADANS IN BIHAR AND ORISSA FOR THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

Serial No.	Name of elector.	Father's name.	Address of elector.	Qualifications.
1	2	3	4	5

FORM II.

(See rule 6).

NOMINATION PAPER.

1. Name of candidate.

2. Father's name.

3. Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by and , who are personally known to me (*or* who have been identified to my satisfaction) as electors Nos. and on the electoral roll of Muhammadans in Bihar and Orissa for the election of an Additional Member to the Legislative Council of the Governor General.

Dated the

Attesting Officer.

(Official designation.)

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the day of , 19 and between the hours of and , at the office of an Attesting Officer.

FORM III.

(*See rule 9.*)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in Bihar and Orissa. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.

2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope between the hours of and on any day before the day of 19 .

I hereby declare that I am the person whose name appears as [
] No. on the electoral roll of Muhammadans in Bihar and Orissa for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.

Elector.

Signed in my presence by the elector who is personally known to me (*or* who has been identified to my satisfaction).

X. Y.,

Attesting Officer

Dated the

(*Official designation*).

FORM IV.

(See rule 9.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

Serial No.	Name of elector.	Father's name.	Address.
1	2	3	4

Attesting Officer.
(Official designation).

SCHEDULE XVII.

[*See Regulation II, sub-head (xxi), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BENGAL CHAMBER OF COMMERCE.

Preliminary.

1. " Returning Officer " means the Secretary to the Bengal Chamber of Commerce, and includes any officer of the Chamber deputed for the time being by the Secretary to perform his duties under these rules.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (xxi), shall be elected by the votes of persons qualified to vote, who—

(*a*) are permanent members of the Bengal Chamber of Commerce, or

(*b*) are entitled to exercise the rights and privileges of permanent membership of the said Chamber on behalf, and in the name, of any firm or Joint-Stock Company or other Corporation,

and who have a place of residence in India (hereinafter referred to as " electors ").

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by an elector, by letter sent to the Returning Officer.

(3) No elector shall subscribe more than one nomination letter.

(4) Where an elector subscribes two or more nomination letters, all such nomination letters, except the one first received by the Returning Officer, shall be rejected, and, if the Returning Officer is unable to determine which of such nomination letters was first received by him, both or all of such letters shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the counting of votes.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Returning Officer may think fit, and shall remove from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

Voting.

5. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall send to each elector a list of such candidates and a voting paper.

6. Any elector may send his voting paper to the Returning Officer after recording his vote thereon :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

7. (1) On receiving the voting papers, the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 8 (3) or in Regulation XVI, such rejection shall be final.

8. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative duly authorized by him in writing, to watch the process of counting.

(3) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(4) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

9. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

10. Upon the completion of the counting, and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

11. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

12. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

(*a*) the sending of nominations under rule 3 (2) ;

(*b*) the sending of lists and voting papers under rule 5 (2) ;

(*c*) the sending of voting papers under rule 6 ; and

(*d*) the counting of votes under rule 8 (1).

SCHEDULE XVIII.

[*See Regulation II, sub-head (xxii), and Regulation III.*]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BOMBAY CHAMBER OF COMMERCE.

1. The member specified in Regulation II, sub head (xxii), shall be elected by the members of the Bombay Chamber of Commerce.

2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber, shall be eligible for election.

3. On or before such date as may be appointed by the Local Government in this behalf, the said Chamber shall elect the member aforesaid in such manner as a Trustee for the Port of Bombay is for the time being elected by the said Chamber under section 6 of the Bombay Port Trust Act, 1879.

4. The President of the said Chamber shall forthwith report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Enclosure no. 3.

Notification no. 2642, dated the 14th November 1912.

The following Proclamation of the Governor General in Council is hereby published :—

PROCLAMATION.

In exercise of the power conferred by section 3 of the Government of India Act, 1912 (2 and 3 Geo. 5, c. 6), the Governor General in Council is pleased to extend, to the territories for the time being administered by the Chief Commissioner of Assam, the provisions of the Indian Councils Acts, 1861 to 1909, touching the making of laws and regulations for the peace and good government of provinces under Lieutenant Governors (including the constitution of Legislative Councils for such provinces and the business to be transacted therein) subject to the modification that in the application to the said territories of the provisions aforesaid references to a Lieutenant Governor shall be construed as references to the Chief Commissioner of Assam.

Notification no. 2643, dated 14th November 1912.

The following Proclamation to which the sanction of His Majesty the King, Emperor of India, has been signified by the Secretary of State for India in Council is hereby published :—

PROCLAMATION.

In exercise of the powers conferred by the Indian Councils Act, 1861 (24 and 25 Vict., c. 67) and all other powers enabling him in this behalf, the Governor General is pleased to constitute the territories for the time being administered by the Chief Commissioner of Assam to be, for the purposes of the Indian Councils Act, 1861, a province to which the provisions of that Act touching the making of laws and regulations for the peace and good government of the Presidencies of Fort Saint George and Bombay shall be applicable.

2. The Governor General in Council is also pleased to specify the 14th day of November 1912, as the time at which the application of the said provisions of the Indian Councils Act, 1861, to the said territories shall take effect.

secure

Enclosure no. 4 (1) (i).

Notification no. 36, dated 31st December 1909.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT ST. GEORGE.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Governor in Council, authorising, at any meeting of the Legislative Council of the Governor, the discussion of the annual Financial Statement of the Governor in Council. The rules have received the sanction of the Governor General in Council, and are now published for general information.

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1. In these rules—

(1) " Finance Committee " means the committee of the Council appointed under rules 2 and 3 to consider and revise the Draft Financial Statement;

(2) " President " means—

(*a*) the Governor, or

(*b*) the Vice President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 36.

(3) " Finance Member " means the Member of the Governor's Council to whom the business of the Financial Department is allotted;

(4) " Member in charge " means the Member of the Governor's Council to whom is allotted the business of the Department of the local Government to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules;

(5) " Draft Financial Statement " means the preliminary financial proposals of the Governor in Council for the financial year next following;

(6) " Revised Financial Statement " means the Draft Financial Statment as revised by the local Government with the approval of the Government of India after considering the proposals of the Finance Committee.

(7) " Budget " means the Financial Statement as finally sanctioned by the Government of India after amendment with reference to resolutions passed in Council and accepted by the local Government or to any special circumstances not previously foreseen; and

(8) " Secretary " means the Secretary to the Madras Legislative Council and includes every person for the time being exercising the functions of the Secretary.

The Draft Financial Statement.

2. On a day not later than the 5th day of January in every financial year the Governor shall appoint a Finance Committee for the purpose of discussing the draft Financial Statement and making proposals with reference thereto for the consideration of the local Government.

3. (1) The Finance Committee shall consist of not more than twelve members of whom not more than half shall be nominated by the Governor.

(2) The remaining members of the Committee shall be elected by the non-official members of Council by votes given under such procedure as the Governor in Council may from time to time prescribe by notification in the *Fort Saint George Gazette.*

4. The Finance Member shall be the Chairman of the Committee, and in the case of an equality of votes on any matter shall have a second or casting vote.

5. (1) On a day not later than the 18th day of January in every year, the local Government shall refer to the Finance Committee the Draft Financial Statement.

(2) The draft shall comprise tabular statements showing—

(*a*) the opening balance of the Provincial account,

(*b*) the estimated Provincial revenue under the various major heads of account,

(*c*) the estimated Provincial expenditure, under specific major heads, on existing establishments and schemes and on new schemes the cost of which is not considerable or which the Local Government considers to be of an absolutely obligatory character,

(*d*) the amounts available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head 'Unallotted Expenditure,' and

(*e*) the estimated closing balance.

(3) There shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the Local Government provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and also indicating, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made the maximum recurring expenditure and the total expenditure, (*a*) recurring, and (*b*) non-recurring, which it is proposed to incur in the next financial year, should be separately stated.

6. (1) The Finance Committee shall consider how the provision made under the head 'Unallotted Expenditure' referred to in clause (*d*) of sub-rule (2) of rule 5 shall be distributed among the specific major heads and to what purposes the sums thus allotted should be applied :

Provided that—

(i) the total provision for recurring and non-recurring expenditure on new schemes shall not exceed the amount entered in the Draft Financial Statement as available for these purposes ; and

(ii) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

(2) It shall also consider the estimates of revenue and expenditure referred to in clauses (*b*) and (*c*) of sub-rule (2) of rule 5 and recommend such amendments in them as seem to it to be advisable, so long as these do not materially affect heads of revenue and expenditure which the Local Government shares with the Government of India :

Provided that any recommendation likely to reduce the estimated closing balance referred to in rule 5 (2) (*e*) shall be accompanied by proposals for a counterbalancing increase in revenue or reduction in expenditure referred to in clause (*c*) or (*d*) of sub-rule (2) of rule 5. Such proposals should indicate the precise item or items in the budget which should be increased or decreased.

7. (1) The proceedings of the Committee shall be private and informal.

(2) They shall begin not later than the 20th day of January and the completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by majority of votes.

8. The Finance Committee shall submit to the Local Government, not later than the 28th day of January, a report indicating the changes which it recommends in the Draft Financial Statement.

9. After considering the proposals of the Committee, the Local Government shall embody its own conclusions in the Draft Financial Statement, and shall refer the statement thus amended to the Government of India.

The Revised Financial Statement.

10. (1) The Revised Financial Statement shall be presented to the Council on a day not later than the 13th day of March.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads, or groups of major heads.

(3) A week before the Revised Financial Statement is presented to the Council, copies of the amended Draft Financial Statement, as provisionally approved by the Government of India at the time, shall be supplied to the Members with a note that the figures and remarks contained in it are liable to alteration.

(4) Copies of the Revised Financial Statement, together with copies of a memorandum detailing the alterations made in the Statement of which copies have been previously supplied under sub-rule (3), shall be supplied to the Members not later than the day preceding that on which the Statement is presented to the Council.

11 (1) On the day when the Revised Financial Statement is presented to the Council each head or group of heads in the statement, which is specified in the Schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(2) The consideration of each such head or group of heads shall be introduced by the Member in charge with such explanations, supplementing the information contained in the Revised Financial Statement, as may appear to him to be necessary.

(3) Any Member shall then be at liberty to move any resolution relating to any question covered by any such head or group of heads which may be entered in his name in the list of business, and the Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

12. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council or of the Governor in Council with any Foreign State or any Native State in India ; or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Governor, any matter which is the subject of discussion between the Governor General in Council or the Secretary of State and the local Government; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

13 No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor in Council ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity ;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial Statement ;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement.

(*f*) It shall not criticise any decision of the Government of India in respect of Provincial Finance ; and

(*g*) if it would in itself have the effect of reducing the estimated closing balance of the Presidency as sanctioned by the Government of India, it must propose some counterbalancing increase in revenue or reduction in expenditure so as to avoid such reduction of the closing balance.

14. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary prior to the date on which the Revised Financial Statement is presented to the Council, and he shall at the same time submit a copy of the resolution which he wishes to move :

Provided that the President may fix a date after which no such notice of resolution may be received.

15. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of the Governor General.

16. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 15.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

17. Resolutions admitted by the President shall be entered in the list of business in such order as he may direct.

Discussion of Resolutions.

18. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

19. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

20. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

21. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

22. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make :

Provided that the President may in all cases address the Council before putting the question to the vote.

23. If any resolution involves many points; the President at his discretion may divide it, so that each point may be determined separately.

24. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

25. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which shall not have been put to the vote within the time so assigned shall be deemed to have been withdrawn.

26. Every resolution, if carried, shall have effect only as a recommendation to the Governor in Council.

27. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 15 or withdrawn under rule 21, no resolution raising substantially the same question shall be moved within one year.

28. The discussion of the Revised Financial Statement shall be closed not later than that 16th day of March or if the discussion commences before the 13th day of March, then on the third day of the discussion.

The Budget.

29. (1) On such day as may be appointed in this behalf by the Governor, the budget shall be presented to the Council by the Finance Member, who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

30. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time limit for speeches.

31. The discussion shall be limited to those branches of Revenue and Expenditure which are under the Financial Control of the Local Government, and it will not be permissible to enter upon criticisms of Imperial Finance.

32. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

33. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

34. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

35. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

36. The Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

37. The President, for sufficient reason, may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under Rule 11.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue.	*IV.—Stamps.*	1.—Refunds and Drawbacks.	*2.—Assignments and Compensations.*
	VI.—Provincial Rates.	3.—Land Revenue.	
V.—Excise.	*VIII.—Assessed Taxes.*	6.—Stamps. 7.—Excise. 8.—Provincial Rates.	*13.—Interest on Debt.*
IX.—Forest.		10.—Assessed Taxes. 11.—Forests. 12.—Registration.	
X.—Registration.			*25.—Political.*
XII.—Interest.	*XVI-A.—Courts.**		
	XXVI.—State Railways.	18.—General Administration.‡ 19-A.—Courts of Law.‡ 19-B.—Jails. 20.—Police. 21.—Ports and Pilotage. 22.—Education. 24.—Medical.	
XVI-B.—Jails.			
XVII.—Police.		26.—Scientific and other Minor Deparments.	*42.—Major Works: Interest on debt.*
XVIII.—Ports and Pilotage.			
XIX.—Education.			
XX.—Medical.			
XXI.—Scientific and other Minor Departments.	*All purely Imperial Revenue.†*	29.—Superannuation Allowances and Pensions. 30.—Stationery and Printing.	
XXII.—Receipts in aid of Superannuation, etc.		32.—Miscellaneous. 33.—Famine Relief.	
XXIII.—Stationery and Printing.		36.—Reduction or Avoidance of Debt.	
		40.—Subsidised Companies ; Land, etc.	
XXV.—Miscellaneous.		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation : Major Works—Working Expenses.	*All statutory charges.*
		43.—Minor Works and Navigation.	
XXIX.—Irrigation, Major Works.		44.—Construction of Railways charged to Provincial Revenues.	*All purely Imperial expenditure.§*
XXX.—Minor Works and Navigation.		45.—Civil Works.	
XXXI.—Civil Works.			

* Mainly Court-fees and fines.

† Purely Imperial heads of account are omitted from this list *e.g.*, II, III, XI, XIII, XIV, etc.

‡ These heads include certain statutory charges, which will be excluded from debate.

§ Purely Imperial heads of account are omitted from this list. *e.g.*, 4, 5, 9, 15, etc.

Enclosure no. 4 (1) (ii).

Notification No. 21, dated 30th November 1909.

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT ST. GEORGE.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Governor in Council authorising at any meeting of the Legislative Council of the Governor the discussion of any matter of general public interest. The rules have received the sanction of the Governor General in Council and are now published for general information.

I. In these rules—

(1) "President" means—

(*a*) the Governor, or

(*b*) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 28;

(2) "Member in charge" means the Member of the Council of the Governor to whom is allotted the business of the Department of the Government of Madras to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules; and

(3) "Secretary" means the Secretary to the Madras Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

2. Any matter of general public interest may be discussed in the Council subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely:—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor by section 43 of the Indian Councils Act, 1861; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council, or of the Governor in Council with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State; or

(*c*) except with the sanction of the Governor any matter which is the subject of discussion between the Governor General in Council or the Secretary of State and the local Government; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3, any Member may move a resolution relating to a matter of general public interest:

Provided that no resolution shall be moved which does not comply with the following conditions, namely:—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor in Council;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue; and

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, at least fifteen clear days before the meeting of the Council at which he desires to move the same, and shall together with the notice submit a copy of the resolution which he wishes to move:

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of another Local Government, or of the Governor General.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the statement of business for the day in the order in which they are received by the Secretary:

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of Resolutions.

10. No resolution shall be taken into consideration by the Council unless it is seconded.

11. The discussion of resolutions shall take place after all the other business of the day has been concluded.

12. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

13. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

14. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any member speaking shall immediately resume his seat.

15. Any member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

16. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

17. When a resolution is under discussion any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 3 and 4; move an amendment to such resolution:

Provided that an amendment may not be moved which has merely the effect of a negative vote:

Provided further that no amendment shall be taken into consideration by the Council unless it is seconded.

18. Every amendment proposed shall be handed in writing to the Secretary.

19. A Member who has moved a resolution or an amendment of a resolution may withdraw the same unless some Member desires that it be put to the vote.

20. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

21. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

22. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

23. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

24. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the discussion of resolutions or of any particular resolution; every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

25. Every resolution, if carried, shall have effect only as a recommendation to the Governor in Council.

26. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 7 or withdrawn under rule 19, no resolution or amendment raising substantially the same question shall be moved within one year.

27. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President shall think fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

28. The Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

29. The President, for sufficient reason, may suspend any of the foregoing rules.

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Enclosure no. 4 (1) (iii).

Notification no. 22, dated 30th November 1909.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT ST. GEORGE.

In exercise of the power conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Governor in Council authorising the asking of questions at any meeting of the Legislative Council of the Governor. The rules have received the sanction of the Governor General in Council and are non published for general information.

1. In these rules—

(1) "President" means—

(*a*) Governor, or

(*b*) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909.

(2) "Member in charge" means the Member of the Council of the Governor to whom is allotted the business of the Department of the Government of Madras to which the subject of the question belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules; and

(3) "Secretary" means the Secretary to the Madras Legislative Council and includes every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely:—

(*a*) any matter affecting the relations of His Majesty's Government, or of the Governor General in Council, or of the Governor in Council with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State.

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

4. No question shall be asked unless it complies with the following conditions, namely:—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the Local Government no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he desires to put the question and shall, together with the notice, submit a copy of the question which he wishes to ask:

Provided that the President may allow a question to be put with shorter notice than ten days and may in any case require longer notice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it or, when any question is not framed in accordance with rules 4 and 5, may either himself amend it in such a way as to render it admissible or may cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, or intimate his acceptance of the President's amendment the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interest or that it should be put in the Legislative Council of another local Government or of the Governor General.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in the statement of business for the day and shall be put in the order in which they stand in the statement before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

14. These rules, except rules 6 and 7, apply also to supplementary questions:

Provided that the President may disallow any supplementary question without giving any reason therefor.

15. The President may rule that an answer to a question in the statement of business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

16. No discussion shall be permitted in respect of any question or of any answer given to a question.

17. All questions asked and the answers given shall be entered in the proceedings of the Council:

Provided that no question which has been disallowed by the President shall be so entered.

18. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

Enclosure no. 4 (2) (i).

Notification no. 948, dated the 29th December 1909.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909 (IX Edw. VII, c. 4), the Governor in Council, with the previous sanction of the Governor General in Council, is pleased to make the following rules for the discussion of the annual Financial Statement of Government at meetings of the Legislative Council.

(1) In these rules—

(1) "Finance Committee" means the Committee of the Council appointed under rules 2 and 3 to consider and revise the Draft Financial Statement;

(2) "President" means—

(*a*) the Governor, or

(*b*) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 36;

(3) "Finance Member" means the Member of the Governor's Council to whom the business of the Financial Department is allotted;

(4) "Member in charge" means the Member of the Governor's Council to whom is allotted the business of the Department of the Local Government to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules;

(5) "Draft Financial Statement" means the preliminary financial proposals of the Governor in Council for the financial year next following;

(6) "Revised Financial Statement" means the Draft Financial Statement as revised by the Local Government with the approval of the Government of India after considering the proposals of the Finance Committee;

(7) "Budget" means the Financial Statement as finally sanctioned by the Government of India, after amendment with reference to resolutions passed in Council and accepted by the Local Government or to any special circumstances not previously foreseen; and

(8) "Secretary" means the officer holding the appointment of Assistant to the Remembrancer of Legal Affairs; but all the acts which the Secretary is required or authorized to do by these rules may be done by the Remembrancer of Legal Affairs or by a Secretary, Under Secretary or Assistant Secretary to the Government of Bombay.

The Draft Financial Statement.

2. On a day not later than the 5th day of January in every year, the Governor shall appoint a Finance Committee for the purpose of discussing the Draft Financial Statement and making proposals with reference thereto for the consideration of the Local Government.

3. (1) The Finance Committee shall consist of not more than twelve members, of whom not more than half shall be nominated by the Governor.

(2) The remaining Members of the Committee shall be elected by the non-official Members of Council by votes given under such procedure as the Governor in Council may from time to time prescribe by notification in the *Bombay Government Gazette.*

4. The Finance Member shall be the Chairman of the Committee, and in the case of an equality of votes on any matter shall have a second or casting vote.

5. (1) On a day not later than the 21st day of January in every year, the Local Government shall refer to the Finance Committee the Draft Financial Statement.

(2) The draft shall comprise tabular statements showing—

(*a*) the opening balance of the Provincial account,

(*b*) the estimated Provincial revenue under the various major heads of account,

(*c*) the estimated Provincial expenditure, under specific major heads, on existing establishments and schemes and on new schemes the cost of which is not considerable or which the Local Government considers to be of an absolutely obligatory character,

(*d*) the amounts available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head 'Unallotted Expenditure,' and

(*e*) the estimated closing balance.

(3) There shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the Local Government provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and also indicating, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made, the maximum recurring expenditure, and the total expenditure, (*a*) recurring and (*b*) non-recurring, which it is proposed to incur in the next financial year, should be separately stated.

6. (1) The Finance Committee shall consider how the provision made under the head 'Unallotted Expenditure' referred to in clause (*d*) of sub-rule (2) of rule 5 shall be distributed among the specific major heads and to what purposes the sums thus allotted should be applied:

Provided that—

(i) the total provision for recurring and non-recurring expenditure on new schemes shall not exceed the amount entered in the Draft Financial Statement as available for these purposes; and

(ii) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

(2) It shall also consider the estimates of revenue and expenditure referred to in clauses (*b*) and (*c*) of sub-rule (2) of rule 5 and recommend such amendments in them as seem to it to be advisable, so long as these do not materially affect heads of revenue and expenditure which the Local Government shares with the Government of India:

Provided that any recommendation likely to reduce the estimated closing balance referred to in rule 5 (2) (*e*) shall be accompanied by proposals for a counterbalancing increase in revenue or reduction in expenditure referred to in clause (*c*) or (*d*) of sub-rule (2) of rule 5.

7. (1) The proceedings of the Committee shall be private and informal.

(2) They shall begin not later than the 23rd day of January and be completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by majority of votes.

8. The Finance Committee shall submit to the Local Government, not later than the 28th day of January, a report indicating the changes which it recommends in the Draft Financial Statement.

9. After considering the proposals of the Committee the Local Government shall embody its own conclusions in the Draft Financial Statement, and shall refer the Statement thus amended to the Government of India.

The Revised Financial Statement.

10. (1) The Revised Financial Statement shall be presented to the Council on a day not later than the 13th day of March.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads, or groups of major heads.

(3) A week before the Revised Financial Statement is presented to the Council, copies of the amended Draft Financial Statement, as provisionally approved by the Government of India at the time, shall be supplied to the Members with a note that the figures and remarks contained in it are liable to alteration.

(4) Copies of the Revised Financial Statement, together with copies of a memorandum detailing the alterations made in the Statement of which copies have been previously supplied under sub-rule (3), shall be supplied to the Members not later than the day preceding that on which it is presented to the Council.

11. (1) On the day when the Revised Financial Statement is presented to the Council, each head or group of heads in the Statement, which is specified in the schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(2) The consideration of each such head or group of heads shall be introduced by the Member in charge with such explanations supplementing the information contained in the Revised Financial Statement as may appear to him to be necessary.

(3) A Member who has entered in his name in the List of Business in accordance with these rules a resolution relating to any question covered by any such head or group of heads, shall move such resolution immediately after the consideration of that head or group has been introduced by the Member in charge.

12. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government, or of the Governor General in Council, or of the Governor in Council with any Foreign State or any Native State in India or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Governor, any matter which is the subject of discussion between the Governor General in Council or the Secretary of State and the Local Government ; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

13. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor in Council ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity ;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial Statement ;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement ;

(*f*) it shall not criticise any decision of the Government of India in respect of Provincial finance ; and

(*g*) if it would in itself have the effect of causing the total expenditure of the Presidency to exceed the amount sanctioned by the Government of India, it must propose some counterbalancing reduction in the estimates so as to avoid such excess.

14. On receipt of the Statement mentioned in rule 10 (3), a Member, who wishes to move a resolution at the Council meeting mentioned in rule 10 (1), shall send to the Secretary, so as to reach him before the day fixed for the meeting of the Council, a copy of the resolution which he desires to move :

Provided that the President may fix a date after which no such resolution may be received.

15. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of the Governor General.

16. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 15.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

17. Resolutions admitted by the President shall be entered in the List of Business in such order as he may direct.

Discussion of Resolutions.

18. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall, speak more than once to any motion except, with the permission of the President for the purpose of making an explanation.

19. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge, may speak for thirty minutes.

20. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

21. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

22. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations whch he may wish to make :

Provided that the President may in all cases address the Council before putting the question to the vote.

23. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

24. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

25. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

26. Every resolution, if carried, shall have effect only as a recommendation to the Governor in Council.

27. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 15 or withdrawn under rule 21, no resolution raising substantially the same question shall be moved within one year.

28. The discussion of the Revised Financial Statement shall be closed not later than the 16th day of March, or if the discussion commences before the 13th day of March, then on the third day of the discussion.

The Budget.

29. (1) On such day as may be appointed in this behalf by the Governor, the Budget shall be presented to the Council by the Finance Member who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member before the day fixed under sub-rule (1) of this rule.

30. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time-limit for speeches.

31. The discussion shall be limited to those branches of revenue and expenditure which are under the financial control of the Local Government, and it will not be permissible to enter upon criticisms of Imperial Finance.

32. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

33. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any member speaking shall immediately resume his seat.

34. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the meeting of Council, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

35. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decision.

36. The Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

37. The President for sufficient reason may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 11.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue.	*IV.—Stamps.*	1.—Refunds and Drawbacks.	*2.—Assignments and Compensations.*
V.—Excise.	*VI.—Provincial Rates.*	3.—Land Revenue.	*13.—Interest on debt.*
IX.—Forest.	*VIII.—Assessed Taxes.*	6.—Stamps.	*25.—Political.*
X.—Registration.	*XVI-A.—Courts.**	7. Excise.	*42.—Major works; Interest on debt.*
XII.—Interest.	*XXVI.—State Railways.*	8.—Provincial Rates.	*All statutory charges.*
XVI-B.—Jails.	*All purely Imperial revenue.†*	10.—Assessed Taxes.	*All purely Imperial expenditure.§*
XVII.—Police.		11.—Forest.	
XVIII.—Ports and Pilotage.		12.—Registration.	
XIX.—Education.		18.—General Administration.‡	
XX.—Medical.		19-A.—Courts of Law.‡	
XXI.—Scientific and other Minor Departments.		19-B.—Jails.	
XXII.—Receipts in aid of Superannuation, etc.		20.—Police.	
XXIII.—Stationery and Printing.		21.—Ports and Pilotage.	
XXV.—Miscellaneous.		22.—Education.	
XXIX.—Irrigation, Major Works.		24.—Medical.	
XXX.—Minor Works and Navigation.		26.—Scientific and other Minor Departments.	
XXXI.—Civil Works.		29.—Superannuation Allowances and Pensions.	
		30.—Stationery and Printing.	
		32.—Miscellaneous.	
		33.—Famine Relief.	
		36.—Reduction or Avoidance of Debt.	
		40.—Subsidized Companies : Land, etc.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation : Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		44.—Construction of Railways charged to Provincial revenues.	
		45.—Civil Works.	

* Mainly Court-fees and fines.
† Purely Imperial heads of account are omitted from this list, *e.g.*, II, III, XI, XIII, XIV, etc.
‡ These heads include certain statutory charges which will be excluded from debate.
§ Purely Imperial heads of account are omitted from this list, *e.g.*, 4, 5, 9, 15, etc.

Enclosure No. 4 (2) (ii).

Notification no: 932, dated the 22nd December 1909.

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909 (IX Edw. VII, *c.* 4), the Governor in Council, with the previous sanction of the Governor General in Council, is pleased to make the following rules for the discussion of matters of general public interest at meetings of the Legislative Council.

1. In these rules—

(1) "President" means—

(*a*) the Governor, or

(*b*) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the member appointed to preside under rule 26.

(2) "Member in charge" means the member of the Council of the Governor to whom is allotted the business of the Department of the Government of Bombay to which the subject under discussion belongs and includes any Member to whom such member in charge may delegate any function assigned to him under these rules ; and

(3) "Secretary" means the officer holding the appointment of Assistant to the Remembrancer of Legal Affairs ; but all the acts which the Secretary is required or authorised to do by these rules may be done by the Remembrancer of Legal Affairs or by a Secretary, Under Secretary or Assistant Secretary to the Government of Bombay.

Matters open to discussion.

2. Any matter of general public interest may be discussed in Council subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government, or of the Governor General in Council, or of the Governor in Council with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State ;

(*c*) except with the sanction of the Governor, any matter which is the subject of discussion between the Governor General in Council or the Secretary of State and the Local Government ; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

Resolutions.

4. Subject to the restriction contained in rule 3 any Member may move a resolution relating to a matter of general public interest :

Provided that no resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor in Council;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A member who wishes to move a resolution shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he desires to move the same and shall, together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the President may allow a resolution to be moved with shorter notice than ten days, and may, in any case, require longer notice or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed, in accordance with rule 4, cause it to be returned to the member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf re-submit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interest or that it should be moved in the Legislative Council of another Local-Government or of the Governor General.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the list of business of the meeting in order of priority, which shall be determined by ballot to be held by the Secretary at such time and place as the President may direct:

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of Resolutions.

10. The discussion of resolutions shall take place after all the other business of the meeting has been concluded.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that a mover of the resolution, when moving the same and the Member in charge may speak for thirty minutes.

13. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) If at any time the President rises, any Member speaking shall immediately resume his seat.

14. Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

15. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

16. When a resolution is under discussion any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution:

Provided that a purely negative amendment may not be moved.

17. A Member who has moved a resolution or an amendment of a resolution may withdraw the same unless some Member desires that it be put to the vote.

18. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

19. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

20. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

21. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

22. The President may assign such time as with due regard to the public interest he may consider reasonable for the discussion of resolutions or of any particular resolution; every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

23. Every resolution, if carried, shall have effect only as a recommendation to the Governor in Council.

24. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 7 or withdrawn under rule 17 no resolution or amendment raising substantially the same question shall be moved within one year.

25. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President shall think fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

26. The Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

27. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure no. 4 (2) (iii).

Notification no. 934, dated the 22nd December 1909.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909 (IX Edw. VII, *c.* 4), the Governor in Council, with the previous sanction of the Governor General in Council, is pleased to make the following rules for the asking of questions at meetings of the Legislative Council.

1. In these rules—

(1) " President " means—

(*a*) the Governor, or

(*b*) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909 ;

(2) " Member in charge " means the Member of the Council of the Governor to whom is allotted the business of the Department of the Government of Bombay to which the subject of the question belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ; and

(3) " Secretary " means the officer holding the appointment of Assistant to the Remembrancer of Legal Affairs ; but all the acts which the Secretary is required or authorized to do by these rules may be done by the Remembrancer of Legal Affairs or by a Secretary, Under Secretary or Assistant Secretary to the Government of Bombay.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council or of the Governor in Council with any Foreign State or any Native State in India or relating to the internal affairs of any such Native State, or

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

4. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the Local Government no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he desires to put the question and shall, together with the notice, submit a copy of the question which he wishes to ask :

Provided that the President may allow a question to be put with shorter notice than ten days and may in any case require longer notice or may extend the time for answering a question.

7. The President may disallow any question, or any part of a question without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests or that it should be put in the Legislative Council of another Local Government or of the Governor General.

8. No discussion in Council shall be permitted in respect of any order of the President under rule 7.

9. Questions which have been allowed shall be entered in the list of business for the day and shall be put in the order in which they stand in the list before any other business is entered upon at the meeting.

10. Questions shall be put and answers given in such manner as the President may in his discretion determine.

11. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

12. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

13. These rules, except rule 6, apply also to supplementary questions :

Provided that the President may disallow any supplementary question without giving any reason therefor.

14. The President may rule that an answer to a question in the list of business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

15. No discussion shall be permitted in respect of any question or of any answer given to a question.

16. All questions asked and the answers given shall be entered in the proceedings of the Council :

Provided that no question which has been disallowed by the President shall be so entered.

17. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

Enclosure no. 4 (3) (i).

Notification no. 194-III-450, dated the 30th December 1909.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor authorising, at any meeting of the Legislative Council of the Lieutenant-Governor, the discussion of the annual Financial Statement of the Government of the United Provinces of Agra and Oudh. The rules have received the sanction of the Governor General in Council and are now published for general information.

1. In these rules—

(1) "Finance Committee" means the Committee of the Council appointed under rules 2 and 3 to consider and revise the Draft Financial Statement;

(2) "President" means—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 36;

(3) "Finance Member" means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Finance Member under these rules;

(4) "Member in charge" with regard to any subject under discussion means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules;

(5) "Draft Financial Statement" means the preliminary financial proposals of the Lieutenant-Governor for the financial year next following;

(6) "Revised Financial Statement" means the Draft Financial Statement as revised by the Local Government with the approval of the Government of India after considering the proposals of the Finance Committee;

(7) "Budget" means the Financial Statement as finally sanctioned by the Government of India, after amendment with reference to resolutions passed in Council and accepted by the Local Government or to any special circumstances not previously foreseen; and

(8) "Secretary" means the Secretary to the Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

The Draft Financial Statement.

2. On a day not later than the 5th day of January in every year, the Lieutenant-Governor shall appoint a Finance Committee for the purpose of discussing the Draft Financial Statement and making proposals with reference thereto for the consideration of the Local Government.

3. (1) The Finance Committee shall consist of not more than twelve members of whom not more than half shall be nominated by the Lieutenant-Governor.

(2) The remaining members of the Committee shall be elected by the the non-official Members of Council by votes given under such procedure as the Lieutenant-Governor may from time to time prescribe by notification in the local official Gazette.

4. The Finance Member shall be the Chairman of the Committee, and in the case of an equality of votes on any matter shall have a second or casting vote.

5. (1) On a day not later than the 18th day of January in every year, the Local Government shall refer to the Finance Committee the Draft Financial Statement.

(2). The draft shall comprise tabular statements showing—

(*a*) the opening balance of the Provincial account,

(*b*) the estimated Provincial revenue under the various major heads of account,

(*c*) the estimated Provincial expenditure, under specific major heads, on existing establishments and schemes and on new schemes the cost of which is not considerable or which the Local Government considers to be of an absolutely obligatory character,

(*d*) the amount available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head 'Unallotted Expenditure,' and

(*e*) the estimated closing balance.

(3) There shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the Local Government provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and also indicating, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made, the maximum recurring expenditure, and the total expenditure, (*a*) recurring and (*b*) non-recurring, which it is proposed to incur in the next financial year, should be separately stated.

6. (1) The Finance Committee shall consider how the provision made under the head 'Unallotted Expenditure' referred to in clause (*d*) of sub-rule 2 of rule 5 shall be distributed among the specific major heads and to what purposes the sums thus allotted should be applied:

Provided that—

(*i*) the total provision for recurring and non-recurring expenditure on the new schemes shall not exceed the amount entered in the Draft Financial Statement as available for these purposes; and

(*ii*) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

(2) It shall also consider the estimates of revenue and expenditure referred to in clauses (*b*) and (*c*) of sub-rule (2) of rule 5 and recommend such amendments in them as seems to it to be advisable, so long as these do not materially affect heads of revenue and expenditure which the Local Government shares with the Government of India:

Provided that any recommendation likely to reduce the estimated closing balance referred to in rule 5 (2) (*e*) shall be accompanied by proposals for a counterbalancing increase in revenue or reduction in expenditure referred to in clause (*c*) or (*d*) of sub-rule (2) of rule 5.

7. (1) The proceedings of the Committee shall be private and informal.

(2) They shall begin not later than the 20th day of January and be completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by majority of votes.

8. The Finance Committee shall submit to the Local Government, not later than the 28th day of January, a report indicating the changes which it recommends in the Draft Financial Statement.

9. After considering the proposals of the Committee the Local Government shall embody its own conclusions in the Draft Financial Statement, and shall refer the statement thus amended to the Government of India.

The Revised Financial Statement.

10. (1) The Revised Financial Statement shall be presented to the Council on a day not later than the 13th day of March.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads, or groups of major heads.

(3) A week before the revised Financial Statement is presented to the Council, copies of the amended Draft Financial Statement, as provisionally approved by the Government of India at the time, shall be supplied to the Members with a note that the figures and remarks contained in it are liable to alteration.

(4) Copies of the Revised Financial Statement, together with copies of a memorandum detailing the alterations made in the Statement of which copies have been previously supplied under sub-rule (3), shall be supplied to the Members not later than the day preceding that on which the statement is presented to the Council.

11. (1) On the day when the Revised Financial Statement is presented to the Council, each head or group of heads in the Statement, which is specified in the schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(2) The consideration of each such head or group of heads shall be introduced by the Member in charge with such explanations supplementing the information contained in the Revised Financial Statement, as may appear to him to be necessary.

(3) Any Member shall then be at liberty to move any resolution relating to any question covered by any such head or group of heads which may be entered in his name in the List of Business and the Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

12. No discussion shall be permitted in regard to any of the following subjects, namely:—

(*a*) any subject removed from the cognizance of the Legislative Council of the Lieutenant-Governor by section 43 of the Indian Councils Act, 1861; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India, or of the Lieutenant-Governor with any Native State in India or relating to the internal affairs of any such Native State; or

(*c*) except with the sanction of the Lieutenant-Governor, any matter which is the subject of discussion between the Governor General in Council and the Local Government; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

13. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Lieutenant-Governor ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity ;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial, Statement ;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement ;

(*f*) it shall not criticise any decision of the Government of India in respect of Provincial finance ; and

(*g*) if it would in itself have the effect of causing the total expenditure of the province to exceed the amount sanctioned by the Government of India, it must propose some counterbalancing reduction in the estimates so as to avoid such excess.

14. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, prior to the date on which the Revised Financial Statement is presented to the Council and he shall at the same time submit a copy of the resolution which he wishes to move :

Provided that the President may fix a date after which no such notice of resolution may be received.

15. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of the Governor General.

16. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 15.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

17. Resolutions admitted by the President shall be entered in the List of Business in such order as he may direct.

Discussion of Resolutions.

18. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

19. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge, may speak for thirty minutes.

20. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

21. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

22. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and

the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

23. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

24. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

25. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

26. Every resolution, if carried, shall have effect only as a recommendation to the Lieutenant-Governor.

27. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 15 or withdrawn under rule 21, no resolution raising substantially the same question shall be moved within one year.

28. The discussion of the Revised Financial Statement shall be closed not later than the 16th day of March, or if the discussion commences before the 13th day of March, then on the third day of the discussion.

The Budget.

29. (1) On such day as may be appointed in this behalf by the Lieutenant-Governor, the Budget shall be presented to the Council by the Finance Member who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

30. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time-limit for speeches.

31. The discussion shall be limited to those branches of revenue and expenditure which are under the financial control of the Local Government, and it will not be permissible to enter upon criticisms of Imperial Finance.

32. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

33. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

34. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

35. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any ime submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

(5) The Lieutenant-Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

36. The President for sufficient reason may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 11.

REVENUE.		EXPENDITURE.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue.	*IV.—Stamps.*	1.—Refunds and Drawbacks.	*2.—Assignments and Compensations.*
V.—Excise.	*VI.—Provincial Rates.*	3.—Land Revenue.	*13.—Interest on debt.*
IX.—Forest.	*VIII.—Assessed Taxes.*	6.—Stamps.	*25.—Political.*
X.—Registration.	*XVI-A.—Courts**	7.—Excise.	*42.—Major works; Interest on debt.*
XII.—Interest.	*XXVI.—State Railway.*	8.—Provincial Rates.	*All statutory charges.*
XVI-B.—Jails.	*All purely Imperial revenue.†*	10.—Assessed Taxes.	*All purely Imperial expenditure.§*
XVII.—Police.		11.—Forest.	
XVIII.—Ports and Pilotage.		12.—Registration.	
XIX.—Education.		18.—General Administration.‡	
XX.—Medical.		19-A.—Courts of Law.‡	
XXI.—Scientific and other Minor Departments.		19-B.—Jails.	
XXII.—Receipts in aid of Superannuation, &c.		20.—Police.	
XXIII.—Stationery and Printing.		21.—Ports and Pilotage.	
XXV.—Miscellaneous.		22.—Education.	
XXIX.—Irrigation, Major Works.		24.—Medical.	
XXX.—Minor Works and Navigation.		26.—Scientific and other Minor Departments.	
XXXI.—Civil Works.		29.—Superannuation Allowances and Pensions.	
		30.—Stationery and Printing.	
		32.—Miscellaneous.	
		33.—Famine Relief.	
		36.—Reduction or Avoidance of Debt.	
		40.—Subsidized Companies: Land, &c.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation: Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		44.—Construction of Railways charged to Provincial revenues.	
		45.—Civil Works.	

* Mainly Court-fees and fines.

† Purely Imperial heads of account are omitted from this list, *e.g.*, II, III, XI, XIII, XIV, &c.

‡ These heads include certain statutory charges, which will be excluded from debate.

§ Purely Imperial heads of account are omitted from this list, *e.g.*, 4, 5, 9, 15, &c.

Enclosure no. 4 (3) (ii).

Notification no. 1666-III—424, dated the 18th November 1909.

RULES FOR THE DISCUSSIONS OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor of the United Provinces of Agra and Oudh authorising at any meeting of the Legislative Council of the Lieutenant-Governor the discussion of any matter of general public interest. The rules have received the sanction of the Governor General in Council and are now published for general information.

1. In these rules—

(1) " President " means—

(*a*) The Lieutenant-Governor, or

(*b*) The Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 27 ;

(2) " Member in charge " means the Member appointed by the Lieutenant-Governor to perform the functions of the Member in charge under the rules in respect of any subject under discussion, and includes any Member to whom such Member may, with the sanction of the President, delegate any function assigned to him under the rules ; and

(3) " Secretary " means the officer appointed by the Lieutenant-Governor to perform the duties of the Secretary to the Council, and includes every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

2. Any matter of general public interest may be discussed in Council subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Lieutenant-Governor by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India or of the Lieutenant-Governor with any Native State in India, or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Lieutenant-Governor, any matter which is the subject of discussion between the Governor General in Council and the Local Government ; or

(*d*) any matter under adjudication by a Court of Law, having jurisdiction in any part of His Majesty's dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3, any Member may move a resolution relating to a matter of general public interest :

Provided that no resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Lieutenant-Governor ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A Member who wishes to move a resolution shall give notice in writing to the Secretary at least fifteen clear days before the meeting of the Council at which he desires to move the same, and shall together with the notice submit a copy of the resolution which he wishes to move :

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of another Local Government or of the Governor General.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the List of Business for the day in the order in which they are received by the Secretary :

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of Resolutions.

10. The discussion of resolutions shall take place after all the other business of the day has been concluded.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

14. Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

15. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

16. When a resolution is under discussion any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution :

Provided that an amendment may not be moved which has merely the effect of a negative vote.

17. (1) If a copy of such amendment has not been sent to the Secretary at least three clear days before the day fixed for the discussion of the resolution any Member may object to the moving of the amendment; and such objection shall prevail unless the President in exercise of his power to suspend any of these rules allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed and send a copy for the information of each Member.

18. A Member who has moved a resolution or an amendment of a resolution may withdraw the same, unless some Member desires that it be put to the vote.

19. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

20. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

21. If any resolution involves many points, the President at his discretion may divide it so that each point may be determined separately.

22. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

23. The President may assign such time as with due regard to the public interest he may consider reasonable for the discussion of resolutions or of any particular resolution; every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

24. Every resolution, if carried, shall have effect only as a recommendation to the Lieutenant-Governor.

25. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 7 or withdrawn under rule 18 no resolution or amendment raising substantially the same question shall be moved within one year.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President shall think fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

27. The Lieutenant-Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

28. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure no. 4 (3) (iii).

Notification No. 1668/III—423, dated the 18th November 1909.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

IN exercise of the power conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor of the United Provinces of Agra and Oudh authorising the asking of questions at any meeting of the Legislative Council of the Lieutenant-Governor. The rules have received the sanction of the Governor General in Council and are now published for general information.

1. In these rules—

(i) "President" means

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909;

(2) "Member in charge" means the Member appointed by the Lieutenant-Governor to perform the functions of the Member in charge under the rules in respect of the subject of any question and includes any Member to whom such Member may, with the sanction of the President, delegate any function assigned to him under the rules; and

(3) "Secretary" means the officer appointed by the Lieutenant-Governor to perform the duties of the Secretary to the Council and includes every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely:—

(*a*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or with any Native State in India or of the Lieutenant-Governor with any Native State in India, or relating to the internal affairs of any such Native State, or

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

4. No question shall be asked unless it complies with the following conditions, namely:—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the Local Government no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he desires to put the question and shall, together with the notice, submit a copy of the question which he wishes to ask:

Provided that the President may allow a question to be put with shorter notice than ten days and may in any case require longer notice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it or, when any question is not framed in accordance with rules 4 and 5, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests or that it should be put in the Legislative Council of another Local Government or of the Governor General.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in the List of Business for the day and, unless the President otherwise directs, shall be put in the order in which they stand in the list before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The President or the Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

14. These rules, except rules 6 and 7, apply also to supplementary questions:

Provided that the President may disallow any supplementary question without giving any reason therefor.

15. The President may rule that an answer to a question in the List of Business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

16. No discussion shall be permitted in respect of any question or of any answer given to a question.

17. All questions asked and the answers given shall be entered in the proceedings of the Council:

Provided that no question which has been disallowed by the President shall be so entered.

18. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

Enclosure no. 4 (4) (i).

Notification no. 48, dated the 29th December 1909.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE PUNJAB.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor authorising, at any meeting of the Legislative Council of the Lieutenant-Governor, the discussion of the annual Financial Statement of the Government of the Punjab. The rules have received the sanction of the Governor General in Council, and are now published for general information :—

1. In these rules—

(1) " Finance Committee " means the Committee of the Council appointed under rules 2 and 3 to consider and revise the Draft Financial Statement ;

(2) " President " means—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 36 ;

(3) " Finance Member " means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Finance Member under these rules ;

(4) " Member in charge," with regard to any subject under discussion, means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject under discussion belongs and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ;

(5) " Draft Financial Statement " means the preliminary financial proposals of the Lieutenant-Governor for the financial year next following ;

(6) " Revised Financial Statement " means the Draft Financial Statement as revised by the Local Government with the approval of the Government of India after considering the proposals of the Finance Committee ;

(7) " Budget " means the Financial Statement as finally sanctioned by the Government of India, after amendment with reference to resolutions passed in Council and accepted by the Local Government or to any special circumstances not previously foreseen ; and

(8) " Secretary " means the Secretary to the Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

The Draft Financial Statement.

2. On a day not later than the 5th day of January in every year, the Lieutenant-Governor shall appoint a Finance Committee for the purpose of discussing the Draft Financial Statement and making proposals with reference thereto for the consideration of the Local Government.

3. (1) The Finance Committee shall consist of not more than twelve members, of whom not more than half shall be nominated by the Lieutenant-Governor.

(2) The remaining members of the Committee shall be elected by the non-official Members of the Council by votes given under such procedure as the Lieutenant-Governor may from time to time prescribe by notification in the local official Gazette.

4. The Finance Member shall be the Chairman of the Committee, and in the case of an equality of votes on any matter shall have a second or casting vote.

5. (1) On a day not later than the 18th day of January in every year, the Local Government shall refer to the Finance Committee the Draft Financial Statement.

(2) The draft shall comprise tabular statements showing—

(*a*) the opening balance of the Provincial account,

(*b*) the estimated Provincial revenue under the various major heads of account,

(*c*) the estimated Provincial expenditure, under specific major heads, on existing establishments and schemes and on new schemes the cost of which is not considerable or which the Local Government considers to be of an absolutely obligatory character,

(*d*) the amounts available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head 'Unallotted Expenditure,' and

(*e*) the estimated closing balance.

(3) There shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the Local Government provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and also indicating, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made, the maximum recurring expenditure, and the total expenditure, (*a*) recurring and (*b*) non-recurring, which it is proposed to incur in the next financial year, should be separately stated.

6. The Finance Committee shall consider how the provision made under the head 'Unallotted Expenditure' referred to in clause (*d*) of sub-rule (2) of rule 5 shall be distributed among the specific major heads and to what purposes the sums thus allotted should be applied :

Provided that—

(*i*) the total provision for recurring and non-recurring expenditure on the new schemes shall not exceed the amount entered in the Draft Financial Statement as available for these purposes ; and

(*ii*) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

7. (1) The proceedings of the Committee shall be private and informal.

(2) They shall begin not later than the 20th day of January and be completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by majority of votes.

8. The Finance Committee shall submit to the Local Government, not later than the 28th day of January, a report indicating the changes which it recommends in the Draft Financial Statement.

9. After considering the proposals of the Committee the Local Government shall embody its own conclusions in the Draft Financial Statement, and shall refer the Statement thus amended to the Government of India.

The Revised Financial Statement.

10. (1) The Revised Financial Statement shall be presented to the Council on a day not later than the 13th day of March.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads, or groups of major heads.

(3) A week before the Revised Financial Statement is presented to the Council, copies of the amended Draft Financial Statement, as provisionally approved by the Government of India at the time, shall be supplied to the Members with a note that the figures and remarks contained in it are liable to alteration.

(4) Copies of the Revised Financial Statement, together with copies of a memorandum detailing the alterations made in the Statement of which copies have been previously supplied under sub-rule (3), shall be supplied to the Members not later than the day preceding that on which the Statement is presented to the Council.

11. (1) On the day when the Revised Financial Statement is presented to the Council, each head or group of heads in the Statement, which is specified in the schedule appended to these rules as being open to discussion, shall be considered separatley according to such grouping as the Member in charge may determine.

(2) The consideration of each such head or group of head shall be introduced by the Member in charge with such explanations supplementing the information contained in the Revised Financial Statement as may appear to him to be necessary.

(3) Any Member shall then be at liberty to move any resolution relating to any question covered by any such head or group of heads which may be entered in his name in the List of Business and the Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

12. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Lieutenant-Governor by section 43 of the Indian Councils Act, 1861; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India, or of the Lieutenant-Governor with any Native State in India or relating to the internal affairs of any such Native State; or

(*c*) except, with the sanction of the Lieutenent-Governor, any matter which is the subject of discussion between the Governor General in Council and the Local Government; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

13. No resolution shall be moved which does not comply with the following conditions, namely:—

(*a*) it shall be in the form of a specific recommendation addressed to the Lieutenant-Governor;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial Statement;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement;

(*f*) it shall not criticise any decision of the Government of India in respect of Provincial finance; and

(*g*) if it would in itself have the effect of causing the total expenditure of the province to exceed the amount sanctioned by the Government of India, it must propose some counterbalancing reduction in the estimates so as to avoid such excess.

14. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, prior to the date on which the Revised Financial Statement is presented to the Council, and he shall at the same time submit a copy of the resolution which he wishes to move:

Provided that the President may fix a date after which no such notice of resolution may be received.

15. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of the Governor General.

16. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 15.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

17. Resolutions admitted by the President shall be entered in the List of Business in such order as he may direct.

Discussion of Resolutions.

18. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

19. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

20. The discussion of a resolution shall be limited to the subject of the resolution and shall not extend to any matter as to which a resolution may not be moved.

21. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

22. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

23. If any resolution involves many points, the President at his discretion may divide it so that each point may be determined separately.

24. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

25. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

26. Every resolution, if carried, shall have effect only as a recommendation to the Lieutenant-Governor.

27. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 15 or withdrawn under rule 21, no resolution raising substantially the same question shall be moved within one year.

28. The discussion of the Revised Financial Statement shall be closed not later than the 16th day of March or if the discussion commences before the 13th day of March, then on the third day of the discussion.

The Budget.

29. On such day as may be appointed in this behalf by the Lieutenant-Governor the Budget shall be presented to the Council by the Finance Member, who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted :

Provided that, unless some change has been made in the figures of the Revised Financial Statement, other than such as have been recommended in a resolution passed by the Council, or unless some change so recommended has not been accepted, it shall not be necessary to hold a meeting of Council for the presentation of the Budget, but it shall be sufficient to send a printed copy of the Budget to each member.

Punjab Government Notification no. 536, dated 8th March 1911.

30. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time-limit for speeches.

31. The discussion shall be limited to those branches of revenue and expenditure which are under the financial control of the Local Government, and it will not be permissible to enter upon criticisms of Imperial Finance.

32. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

33. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

34. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

35. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

36. The Lieutenant-Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

37. The President for sufficient reason may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 11.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue.	*IV.—Stamps.**	1.—Refunds and Drawbacks,	*2.—Assignments and Compensations.*
V.—Excise.	*VI.—Provincial Rates.*	3.—Land Revenue.	*13.—Interest on debt.*
IX.—Forest.	*VIII.—Assessed Taxes.*	6.—Stamps	*25.—Political.*
X.—Registration.	*XVI-A.—Courts.*	7.—Excise.	*42.—Major works; Interest on debt.*
XII.—Interest.	*XXVI.—State Railways.*	8.—Provincial Rates.	*All statutory charges.*
XVI-B.—Jails.	*All purely Imperial revenues.†*	10.—Assessed Taxes.	*All purely Imperial expenditure.§*
XVII.—Police.		11.—Forest.	
XVIII.—Ports and Pilotage.		12.—Registration.	
XIX.—Education.		18.—General Administration.‡	
XX.—Medical.		19-A.—Courts of Law.‡	
XXI.—Scientific and other Minor Departments.		19-B.—Jails.	
XXII.—Receipts in aid of Superannuation, etc.		20.—Police.	
XXIII.—Stationery and Printing.		21.—Ports and Pilotage.	
XXV.—Miscellaneous.		22.—Education.	
XXIX.—Irrigation: Major Works.		24.—Medical.	
XXX.—Minor Works and Navigation.		26.—Scientific and other Minor Departments.	
XXXI.—Civil Works.		29.—Superannuation Allowances and Pensions.	
		30.—Stationery and Printing.	
		32.—Miscellaneous.	
		33.—Famine Relief.	
		36.—Reduction or Avoidance of debt.	
		40.—Subsidized Companies: Land, etc.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation: Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		44.—Construction of Railways charged to Provincial revenues.	
		45.—Civil Works.	

* Mainly Court-fees and fines.
† Purely Imperial heads of account are omitted from this list, *e.g.*, II, III, XI, XIII, XIV, etc.
‡ These heads include certain statutory charges, which will be excluded from debate.
§ Purely Imperial heads of account are omitted from this list, *e.g.*, 4, 5, 9, 15, etc.

Enclosure no 4 (4) (*ii*).

Notification no. 36, dated the 19th November 1909.

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE PUNJAB.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor authorising at any meeting of the Legislative Council of the Lieutenant-Governor the discussion of any matter of general public interest. The rules have received the sanction of the Governor General in Council and are now published for general information :—

1. In these rules—

(1) "President" means—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 27;

(2) "Member in charge" with regard to any subject under discussion means the Member appointed by the Lieutenant-Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject under discussion belongs, and includes any Member to whom such Member may delegate any function assigned to him under these rules ; and

(3) "Secretary" means the officer appointed by the Lieutenant-Governor to perform the duties of Secretary to the Council, and includes every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

2. Any matter of general public interest may be discussed in Council, subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Lieutenant-Governor by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India or of the Lieutenant-Governor with any Native State in India, or relating to the internal affairs of any Native State ; or

(*c*) except with the sanction of the Lieutenant-Governor, any matter which is the subject of discussion between the Governor General in Council and the Local Government ; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3, any Member may move a resolution relating to a matter of general public interest :

Provided that no resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Lieutenant-Governor ;

(*b*) it shall be clearly and precisely expressed, and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A Member who wishes to move a resolution shall give notice in writing to the Secretary at least fifteen clear days before the meeting of the Council at which he desires to move the same, and shall together with the notice submit a copy of the resolution which he wishes to move :

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of another Local Government or of the Governor General.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the list of business for the day in the order in which they are received by the Secretary :

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of resolutions.

10. The discussion of resolutions shall take place after all the other business of the day has been concluded.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion, except with the permission of the President for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

14. Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member. Any such speech may at the discretion of the President be taken as read.

15. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

16. When a resolution is under discussion any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution:

Provided that an amendment may not be moved which has merely the effect of a negative vote.

17. (1) If a copy of such amendment has not been sent to the Secretary at least three clear days before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment; and such objection shall prevail unless the President, in exercise of his power to suspend any of these rules, allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed and send a copy for the information of each Member.

18. A Member who has moved a resolution or an amendment of a resolution may withdraw the same unless some Member desires that it be put to the vote.

19. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

20. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

21 If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

22. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division, and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

23. The President may assign such time as with due regard to the public interest he may consider reasonable for the discussion of resolutions or of any particular resolution; every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

24. Every resolution, if carried, shall have effect only as a recommendation to the Lieutenant-Governor.

25. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 7 or withdrawn under rule 18

no resolution or amendment raising substantially the same question shall be moved within one year.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President shall think fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

27. The Lieutenant-Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

28. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure no. 4 (4) (iii).

Notification no. 37, dated the 19th November 1909.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT GOVERNOR OF THE PUNJAB.

IN exercise of the power conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor authorising the asking of questions at any meeting of the Legislative Council of the Lieuteuant Governor. The rules have received the sanction of the Governor General in Council, and are now published for general information :—

1. In these rules —

(1) "President" means—

(*a*) the Lieutenant Governor, or

(*b*) the Vice-President appointed by the Lieutenant Governor under section 4 of the Indian Councils Act, 1909 ;

(2) "Member in charge" with regard to any question means the Member appointed by the Lieutenant Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject of such question belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ; and

(3) "Secretary" means the officer appointed by the Lieutenant Governor to perform the duties of the Secretary to the Council, and includes every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or with any Native State in India, or of the Lieutenant Governor with any Native State in India, or relating to the internal affairs of any Native State, or

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

4. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information ;

(*b*) it shall not be of excessive length ;

(*c*) it shall not contain arguments, inferences, ironical expressions, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity ; and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the Local Government no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which

he desires to put the question, and shall, together with the notice, submit a copy of the question which he wishes to ask :

Provided that the President may allow a question to be put with shorter notice than ten days, and may in any case require longer notice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it or, when any question is not framed in accordance with rules 4 and 5, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests, or that it should be put in the Legislative Council of another Local Government or of the Governor General.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in the list of business for the day, and shall be put in the order in which they stand in the list before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12 Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

14. These rules, except rules 6 and 7, apply also to supplementary questions :

Provided that the President may disallow any supplementary questions without giving any reason therefor.

15. The President may rule that an answer to a question in the list of business for the day shall be given on the ground of public interest, even though the question may have been withdrawn.

16. No discussion shall be permitted in respect of any question or of any answer given to a question.

17. All questions asked and the answers given shall he entered in the proceedings of the Council :

Provided that no question which has been disallowed by the President shall be so entered.

18. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

Enclosure no 4 (5) (i).

Notification no. 433, dated the 29th December 1909.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT GOVERNOR OF BURMA.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant Governor authorizing, at any meeting of the Legislative Council of the Lieutenant Governor, the discussion of the annual Financial Statement of the Government of Burma. The rules have received the sanction of the Governor General in Council and are now published for general information :—

1. In these rules :—

(1) " Finance Committee " means the Committee of the Council appointed under rules 2 and 3 to consider and revise the Draft Financial Statement ;

(2) " President " means—

(*a*) the Lieutenant-Governor, or

(*b*) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 36 ;

(3) " Finance Member " means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Finance Member under these rules ;

(4) " Member in charge ", with regard to any subject under discussion, means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ;

(5) " Draft Financial Statement " means the preliminary financial proposals of the Lieutenant-Governor for the financial year next following ;

(6) " Revised Financial Statement " means the Draft Financial Statement as revised by the Local Government with the approval of the Government of India after considering the proposals of the Finance Committee ;

(7) " Budget " means the Financial Statement as finally sanctioned by the Government of India, after amendment with reference to resolutions passed in Council and accepted by the Local Government or to any special circumstances not previously foreseen ; and

(8) " Secretary " means the Secretary to the Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

The Draft Financial Statement.

2. On a day not later than the 5th day of January in every year, the Lieutenant-Governor shall appoint a Finance Committee for the purpose of discussing the Draft Financial Statement and making proposals with reference thereto for the consideration of the Local Government.

3. (1) The Finance Committee shall consist of not more than twelve members of whom not more than half shall be nominated by the Lieutenant-Governor.

(2) The remaining members of the Committee shall be elected by the non-official Members of Council by votes given under such procedure as the Lieutenant-Governor may from time to time prescribe by notification in the local official Gazette.

4. The Finance Member shall be the Chairman of the Committee, and in the case of an equality of votes on any matter shall have a second or casting vote.

5. (1) On a day not later than the 18th day of January in every year, the Local Government shall refer to the Finance Committee the Draft Financial Statement.

(2) The draft shall comprise tabular statements showing—

(*a*) the opening balance of the Provincial account,

(*b*) the estimated Provincial revenue under the various major heads of account,

(*c*) the estimated Provincial expenditure, under specific major heads on existing establishment and schemes and on new schemes the cost of which is not considerable or which the Local Government considers to be of an absolutely obligatory character,

(*d*) the amounts available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head 'Unallotted Expenditure,' and

(*e*) the estimated closing balance.

(3) There shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the Local Government provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and also indicating, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made, the maximum recurring expenditure, and the total expenditure, (*a*) recurring and (*b*) non-recurring, which it is proposed to incur in the next financial year, should be separately stated.

6. (1) The Finance Committee shall consider how the provision made under the head 'Unallotted Expenditure' referred to in clause (*d*) of sub-rule (2) of rule 5 shall be distributed among the specific major heads and to what purposes the sums thus allotted should be applied :

Provided that—

(i) the total provision for recurring and non-recurring expenditure on the new schemes shall not exceed the amount entered in the Draft Financial Statement as available for these purposes ; and

(ii) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

(2) It shall also consider the estimates of revenue and expenditure referred to in clauses (*b*) and (*c*) of sub-rule (2) of rule 5 and recommend such amendments in them as seem to it to be advisable, so long as these do not materially affect heads of revenue and expenditure which the Local Government shares with the Government of India :

Provided that any recommendation likely to reduce the estimated closing balance referred to in rule 5 (2) (*c*) shall be accompanied by proposals for a counterbalancing increase in revenue or reduction in expenditure referred to in clause (*c*) or (*d*) of sub-rule (2) of rule 5.

7. (1) The proceedings of the Committee shall be private aud informal.

(2) They shall begin not later than the 20th day of January and be completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by majority of votes.

8. The Finance Committee shall submit to the Local Government, not later than the 28th day of January, a report indicating the changes which it recommends in the Draft Financial Statement.

9. After considering the proposals of the Committee, the Local Government shall embody its own conclusions in the Draft Financial Statement, and shall refer the Statement thus amended to the Government of India.

The Revised Financial Statement.

10. (1) The Revised Financial Statement shall be presented to the Council on a day not later than the 13th day of March.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the Province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads, or groups of major heads.

(3) A week before the Revised Financial Statement is presented to the Council, copies of the amended Draft Financial Statement, as provisionally approved by the Government of India at the time, shall be supplied to the Members with a note that the figures and remarks contained in it are liable to alteration.

(4) Copies of the Revised Financial Statement, together with copies of a memorandum detailing the alterations made in the Statement of which copies have been previously supplied under sub-rule (3), shall be supplied to the Members not later than the day preceding that on which the Statement is presented to the Council.

11. (1) On the day when the Revised Financial Statement is presented to the Council, each head or group of heads in the Statement, which is specified in the schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(2) The consideration of each such head or group of heads shall be introduced by the Member in charge with such explanations supplementing the information contained in the Revised Financial Statement as may appear to him to be necessary.

(3) Any Member shall then be at liberty to move any resolution relating to any question covered by any such head or group of heads which may be entered in his name in the list of business and the Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

12. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Lieutenant-Governor by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India, or of the Lieutenant-Governor with any Native State in India or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Lieutenant-Governor, any matter which is the subject of discussion between the Governor General in Council and the Local Government ; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

13. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Lieutenant-Governor;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial Statement;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement;

(*f*) it shall not criticise any decision of the Government of India in respect of Provincial finance; and

(*g*) if it would in itself have the effect of causing the total expenditure of the Province to exceed the amount sanctioned by the Government of India, it must propose some counterbalancing reduction in the estimates so as to avoid such excess.

14. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, prior to the date on which the Revised Financial Statement is presented to the Council and he shall at the same time submit a copy of the resolution which he wishes to move:

Provided that the President may fix a date after which no such notice of resolution may be received.

15. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of the Governor General.

16. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 15.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

17. Resolutions admitted by the President shall be entered in the list of business in such order as he may direct.

Discussion of Resolutions.

18. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

19. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

20. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

21. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

22. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

23. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

24. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

25. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

26. Every resolution, if carried, shall have effect only as a recommendation to the Lieutenant-Governor.

27. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 15 or withdrawn under rule 21, no resolution raising substantially the same question shall be moved within one year.

28. The discussion of the Revised Financial Statement shall be closed not later than the 16th day of March or if the discussion commences before the 13th day of March then on the third day of the discussion.

The Budget.

29. (1) On such day as may be appointed in this behalf by the Lieutenant-Governor the Budget shall be presented to the Council by the Finance Member, who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

30. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time-limit for speeches.

31. The discussion shall be limited to those branches of revenue and expenditure which are under the financial control of the Local Government, and it will not be permissible to enter upon criticisms of Imperial Finance.

32. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

33. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

34. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

35. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

36. The Lieutenant-Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

37. The President for sufficient reason may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 11.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue.	*IV.—Stamps.*	1.—Refunds and Drawbacks.	*2.—Assignments and Compensations.*
V.—Excise.	*VI.—Provincial Rates.*	3.—Land Revenue.	*13.—Interest on debt.*
IX.—Forest.	*VIII.—Assessed Taxes.*	6.—Stamps.	*25—Political.*
X.—Registration.	*XVI-A.—Courts.**	7.—Excise.	*42.—Major Works: Interest on debt.*
XII.—Interest.	*XXVI.—State Railways.*	8.—Provincial Rates.	*All Statutory charges.*
XVI-B.—Jails.	*All purely Imperial Revenue* †	10—Assessed Taxes.	*All purely Imperial Expenditure.*§
XVII.—Police.		11—Forest.	
XVIII.—Ports and Pilotage.		12.—Registration.	
XIX.—Education.		18.—General Administration.‡	
XX.—Medical.		19-A.—Courts of Law.‡	
XXI—Scientific and other Minor Departments.		19-B.—Jails.	
XXII.—Receipts in aid of Superannuation, etc.		20.—Police.	
XXIII.—Stationery and Printing.		21.—Ports and Pilotage.	
XXV.—Miscellaneous.		22.—Education.	
XXIX.—Irrigation, Major Works.		24.—Medical.	
XXX—Minor Works and Navigation.		26—Scientific and other Minor Departments.	
XXXI.—Civil Works.		29.—Superannuation Allowances and Pensions.	
		30.—Stationery and Printing.	
		32.—Miscellaneous.	
		33—Famine Relief.	
		36. Reduction or Avoidance of Debt.	
		40.—Subsidized Companies: Land, etc.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation: Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		44.—Construction of Railways charged to Provincial revenues.	
		45.—Civil Works.	

* Mainly Court-fees and fines.
† Purely Imperial heads of account are omitted from this list, *e.g.*, II, III, XI, XIII, XIV, etc.
‡ These heads include certain statutory charges, which will be excluded from debate.
§ Purely Imperial heads of account are omitted from this, list *e.g.*, 4, 5, 9, 15, etc.

Enclosure no. 4 (5) (ii).

Notification no. 381, dated the 29th November 1909.

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT GOVERNOR OF BURMA.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor authorising at any meeting of the Legislative Council of the Lieutenant Governor the discussion of any matter of general public interest. The rules have received the sanction of the Governor General in Council and are now published for general information.

1. In these rules—

(1) "President" means—

(*a*) The Lieutenant Governor, or

(*b*) The Vice-President appointed by the Lieutenant Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) The Member appointed to preside under rule 27;

(2) "Member in charge" with regard to any subject under discussion means the Member appointed by the Lieutenant Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject under discussion belongs, and includes any Member to whom such Member may delegate any function assigned to him under these rules; and

(3) "Secretary" means the officer appointed by the Lieutenant Governor to perform the duties of Secretary to the Council, and includes every person for the time being exercising the functions of the Secretary.

Matters open to Discussion.

2. Any matter of general public interest may be discussed in Council subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Lieutenant Governor by section 43 of the Indian Councils Act, 1861; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India or of the Lieutenant Governor with any Native State in India, or relating to the internal affairs of any such Native State; or

(*c*) except with the sanction of the Lieutenant Governor, any matter which is the subject of discussion between the Governor General in Council and the Local Government; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3, any Member may move a resolution relating to a matter of general public interest:

Provided that no resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Lieutenant Governor;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue;

(c) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, at least fifteen clear days before the meeting of the Council at which he desires to move the same and shall, together with the notice, submit a copy of the resolution which he wishes to move :

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of another Local Government or of the Governor General.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the list of business for the day in the order in which they are received by the Secretary :

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of Resolutions.

10. The discussion of resolutions shall take place after all the other business of the day has been concluded.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

14. Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

15. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

16. When a resolution is under discussion any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution :

Provided that an amendment may not be moved which has merely the effect of a negative vote.

17. (1) If a copy of such amendment has not been sent to the Secretary at least three clear days before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment; and such objection shall prevail unless the President in exercise of his power to suspend any of these rules allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed and send a copy for the information of each Member.

18. A Member who has moved a resolution or an amendment of a resolution may withdraw the same unless some Member desires that it be put to the vote.

19. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make :

Provided that the President may in all cases address the Council before putting the question to the vote.

20. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

21. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

22. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

23. The President may assign such time as with due regard to the public interest he may consider reasonable for the discussion of resolutions or of any particular resolution ; every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

24 Every resolution, if carried, shall have effect only as a recommendation to the Lieutenant Governor.

25. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 7 or withdrawn under rule 18, no resolution or amendment raising substantially the same question shall be moved within one year.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

( ) No discussion on any point of order shall be allowed unless the President shall think fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

27. The Lieutenant Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

28. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure no. 4 (5) (iii).

Notification no. 380, dated the 29th November 1909.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT GOVERNOR OF BURMA.

IN exercise of the power conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant Governor authorising the asking of questions at any meeting of the Legislative Council of the Lieutenant Governor. The rules have received the sanction of the Governor General in Council and are now published for general information.

1. In these rules—

(1) "President" means—

(*a*) the Lieutenant Governor, or

(*b*) the Vice-President appointed by the Lieutenant Governor under section 4 of the Indian Councils Act, 1909;

(2) "Member in charge" with regard to any question means the Member appointed by the Lieutenant Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject of such question belongs and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules; and

(3) "Secretary" means the officer appointed by the Lieutenant Governor to perform the duties of the Secretary to the Council and includes every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or with any Native State in India or of the Lieutenant Governor with any Native State in India, or relating to the internal affairs of any such Native State, or

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

4. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the Local Government no question shall be asked except as to matters of fact and the answer shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he desires to put the question and shall, together with the notice, submit a copy of the question which he wishes to ask:

Provided that the President may allow a question to be put with shorter notice than ten days and may in any case require longer notice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it

or, when any question is not framed in accordance with rules 4 and 5, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests or that it should be put in the Legislative Council of another Local Government or of the Governor General.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in the list of business for the day and shall be put in the order in which they stand in the list before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

14. These rules, except rules 6 and 7, apply also to supplementary questions:

Provided that the President may disallow any supplementary question without giving any reason therefor.

15. The President may rule that an answer to a question in the list of business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

16. No discussion shall be permitted in respect of any question or of any answer given to a question.

17. All questions asked and the answers given shall be entered in the proceedings of the Council:

Provided that no question which has been disallowed by the President shall be so entered.

18. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

Enclosure 4 (6) (i).

Notification no. 4482-F., dated the 10th December 1912.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BENGAL.

In pursuance of section 5 of the Indian Councils Act, 1909 (as applied to the Governor in Council of the Presidency of Fort William in Bengal by section 1 of the Government of India Act, 1912), and with the sanction of the Governor-General in Council, the Governor in Council has made the following rules, authorizing the discussion of the annual Financial Statement of the Government of Bengal at meetings of the Bengal Legislative Council.

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1. These rules may be called the Bengal Legislative [(Financial Statement) Rules, 1912.

2. In these rules—

(1) " Draft Financial Statement " means the preliminary financial proposals of the Local Government for the financial year next following ;

(2) " Amended Draft Financial Statement " means the Draft Financial Statement as provisionally revised by the Local Government after considering the proposals of the Finance Committee, and in accordance with the provisional orders of the Government of India on the second edition of the estimates ;

(3) " Revised Financial Statement " means the Amended Draft Financial Statement as revised by the Local Government in accordance with the instructions of the Government of India ;

(4) " Budget " means the Financial Statement as finally sanctioned by the Government of India, after amendment with reference to resolutions passed in Council and accepted by the Local Government or to any special circumstances not previously foreseen ;

(5) " Finance Committee " means the Committee of the Council constituted under rules 3 and 4 ;

(6) " Finance Member " means the Member of the Council appointed by the Governor to perform the functions of the Finance Member under these rules ;

(7) " Member in charge," with regard to any subject under discussion, means the Member of the Council appointed by the Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject under discussion pertains, and includes any Member to whom such Member in charge may delegate any function assigned to him by these rules ;

(8) " President " means—

(*a*) the Governor, or

(*b*) in the absence of the Governor, the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 40 ; and

(9) " Secretary " means the Secretary to the Bengal Legislative Council, and includes the Assistant Secretary and every person for the time being exercising the functions of the Secretary.

The Draft Financial Statement.

3. On a day not later than the 5th day of January in every year, the Governor shall direct that a Finance Committee be constituted for the purpose of discussing the Draft Financial Statement and making proposals with reference thereto for the consideration of the Local Government.

4. (1) The Finance Committee shall consist of not more than twelve members, of whom not more than half shall be nominated by the Governor.

(2) The remaining members of the Committee shall be elected by the non-official members of Council by votes given under such procedure as the Governor may from time to time prescribe by notification in the *Calcutta Gazette*.

5. The Finance Member shall be the Chairman of the Committee, and in the case of an equality of votes on any matter shall have a second or casting vote.

6. (1) On a day not later than the 18th day of January in every year, the Local Government shall refer the Draft Financial Statement to the Finance Committee.

(2) The Draft shall comprise tabular statements showing—

(*a*) the opening balance of the Provincial account ;

(*b*) the estimated Provincial revenue under the various major heads of account ;

(*c*) the estimated Provincial expenditure, under specific major heads, on existing establishments and schemes, and on new schemes the cost of which is not considerable or which the Local Government considers to be of an absolutely obligatory character ;

(*d*) the amounts available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head "Unallotted Expenditure"; and

(*e*) the estimated closing balance.

(3) There shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the Local Government provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and also indicating, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made, the maximum recurring expenditure, and the total expenditure—(*a*) recurring and (*b*) non-recurring—which it is proposed to incur in the next financial year, shall be separately stated.

7. The Finance Committee shall consider how the provision made under the head "Unallotted Expenditure" referred to in clause (*d*) of sub-rule (2) of rule 6 shall be distributed among the specific major heads, and to what purposes the sums thus allotted should be applied :

Provided that—

(*i*) the total provision for recurring and non-recurring expenditure on the new schemes shall not exceed the amount entered in the Draft Financial Statement as available for those purposes ; and

(*ii*) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

8. (1) The proceedings of the Committee shall be private and informal.

(2) They shall begin not later than the 20th day of January, and be completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by a majority of votes.

9. The Finance Committee shall submit to the Local Government, not later than the 28th day of January, a report indicating the changes which it recommends in the Draft Financial Statement.

10. After considering the proposals of the Committee, the Local Government shall embody its own conclusions in the Draft Financial Statement, and shall refer the Statement thus amended to the Government of India.

The Amended Draft Financial Statement.

11. (1) The Amended Draft Financial Statement shall be presented to the Council as soon as possible after the presentation of the Financial Statement for India to the Legislative Council of the Governor-General.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the Province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads or groups of major heads.

(3) Copies of the Amended Draft Financial Statement shall be supplied to the Members one week before the Statement is presented to the Council, with a note that the figures and remarks contained in it are liable to alteration.

12. On the day when the Amended Draft Financial Statement is presented to the Council, each head or group of heads in the Statement which is specified in the Schedule appended to these rules as being open to discussion shall be introduced separately by the Member in charge, according to such grouping as he may determine, with such explanations, supplementing the information contained in the Statement, as may appear to be necessary.

13. When all such heads have been so introduced, the Council shall be adjourned to such subsequent date, not later than the 13th day of March, as the President may determine.

The Revised Financial Statement.

14. (2) The Revised Financial Statement shall be presented to the Council on the subsequent date determined under rule 13, with such explanation as the Member in charge may deem necessary of any alterations which it has been found necessary to make in the figures or remarks contained in the Amended Draft Financial Statement.

(2) Copies of the Revised Financial Statement, together with copies of a memorandum by the Finance Member detailing the alterations referred to in sub-rule (1), shall be supplied to the Members not later than the day preceding that on which the Statement is presented to the Council.

15. (1) When the Revised Financial Statement is presented to the Council, any Member shall be at liberty to move any resolution relating to any question covered by any head or group of heads referred to in rule 12, of which due notice has been given, and which is entered in his name in the List of Business.

(2) The Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

16. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Council by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Government of India or of the Governor or the Governor in Council with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Governor, any matter which is the subject of discussion between the Government of India or the Secretary of State and the Local Government; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

17. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor in Council;

(*b*) it shall be clearly and precisely expressed, and shall raise a definite issue;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial Statement;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement;

(*f*) it shall not criticise any decision of the Government of India in respect of Provincial Finance; and

(*g*) if it would in itself have the effect of causing the total expenditure of the Presidency to exceed the amount sanctioned by the Government of India, it must propose some counterbalancing reduction in the estimates so as to avoid such excess.

18. A Member who wishes to move a resolution shall give notice in writing to the Secretary prior to the date on which the Revised Financial Statement is presented to the Council, and shall, together with the notice, submit a copy of the resolution which he wishes to move :

Provided that the President may fix a date after which no notice of any such resolution may be received.

19. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of the Governor-General.

20. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 19.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

21. Resolutions admitted by the President shall be entered in the List of Business in such order as he may direct.

Discussion of Resolutions.

22. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion, except, with the permission of the President, for the purpose of making an explanation.

23. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge, may speak for thirty minutes.

24. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

25. A Member who has moved a resolution may withdraw the same, unless some other Member desires that it be put to the vote.

26. When, in the opinion of the President, a resolution has been sufficiently discussed he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may, in any case, address the Council before putting the question to the vote.

27. If any resolution involves many points, the President may, at his discretion, divide it so that each point may be determined separately.

28. (1) Every question shall be decided by a majority of votes, the President having, in case of an equality of votes, a second or casting vote.

(2) Votes shall be taken by voices, by show of hands, or by division, and shall always be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

29. (1) The President may assign such time as, with due regard to the public interests, he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

30. Every resolution, if carried, shall have effect only as a recommendation to the Governor in Council.

31. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 19 or withdrawn under rule 25, no resolution raising substantially the same question shall be moved within one year.

32. The discussion of the Revised Financial Statement shall be closed not later than the 16th day of March; or, if the discussion commences before the 13th day of March, then on the third day of the discussion.

The Budget.

33. (1) On such day as may be appointed in this behalf by the Governor, the Budget shall be presented to the Council by the Finance Member, who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

34. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time-limit for speeches.

35. The discussion shall be limited to those branches of revenue and expenditure which are under the financial control of the Local Government, and it will not be permissible to enter upon criticisms of Imperial finance.

36. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

37. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the President.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

38. (1) Any Member may send his speech in print to the Secretary so as to reach the latter not later than 11 A.M. on the second day before the day fixed for the discussion of a resolution, with eighty spare copies, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) If any Member desires to have his speech printed at the Government Press he shall send it to the Secretary so as to reach him not later than 11 A.M. on the fifth day before the day fixed for the discussion of the resolution.

(3) Any such speech may, at the discretion of the President, be taken as read.

39. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed, unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order for the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

40. The Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

41. The President, for sufficient reason, may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 12.

REVENUE.		EXPENDITURE.	
Heads open to discussion.	Heads not open to discussion.	Heads open to discussion.	Heads not open to discussion.
I.—Land-revenue.	*IV.—Stamps.*	1. Refunds and Drawbacks.	*2. Assignments and Compensations.*
V.—Excise.	*VI.—Provincial Rates.*	3. Land Revenue.	*13. Interest on Debt.*
IX.—Forest.	*VIII.—Assessed Taxes.*	6. Stamps.	*25. Political.*
X.—Registration.	*XVI-A.—Courts.**	7. Excise.	*42. Major Works: Interest on Debt.*
XII.—Interest.	*XXVI.—State Railways.*	8. Provincial Rates.	*All statutory charges.*
XVI-B.—Jails.	*All purely Imperial revenue.†*	10. Assessed Taxes.	*All purely Imperiale xpenditure.§*
XVII.—Police.		11. Forest.	
XVIII.—Ports and Pilotage.		12. Registration.	
XIX.—Education.		18. General Administration.‡	
XX.—Medical.		19-A. Courts of Law.§	
XXI.—Scientific and other Minor Departments.		19-B. Jails.	
XXII.—Receipts in aid of Superannuation, etc.		20. Police.	
XXIII.—Stationery and Printing.		21. Ports and Pilotage.	
XXV.—Miscellaneous.		22. Education.	
XXIX.—Irrigation—Major Works.		24. Medical.	
XXX.—Minor Works and Navigation.		26. Scientific and other Minor Departments.	
XXXI.—Civil Works.		29. Superannuation Allowances and Pensions.	
		30. Stationery and Printing.	
		32. Miscellaneons.	
		33. Famine Relief.	
		36. Reduction or Avoidance of Debt.	
		40. Subsidized Companies: Land, etc.	
		41. Miscellaneous Railway Expenditure.	
		42. Irrigation: Major Works—Working Expenses.	
		43. Minor Works and Navigation.	
		44. Construction of Railways charged to Provincial Revenues.	
		45. Civil Works.	

* Mainly Court-fees and fines.
† Purely Imperial heads of account are omitted from this list, *e.g.*, II, III, XI, XIII, XIV, etc.
‡ These heads include certain statutory charges, which will be excluded from debate.
§ Purely Imperial heads of account are omitted from this list, *e.g.*, 4, 5, 9, 15, etc.

Enclosure 4 (6) (ii).

Notification no. 4994-A., dated the 17th December 1912.

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BENGAL.

IN pursuance of section 5 of the Indian Councils Act, 1909 (as applied to the Governor in Council of the Presidency of Fort William in Bengal by section 1 of the Government of India Act, 1912), and with the sanction of the Governor-General in Council, the Governor in Council has made the following rules, authorizing the discussion of any matter of general public interest at meetings of the Bengal Legislative Council.

1. These rules may be called the Bengal Legislative (Resolutions) Rules' 1912.

2. In these rules—

(1) " President " means—

(*a*) the Governor, or

(*b*) in the absence of the Governor, the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 28 ;

(2) " Member in charge " means the Member appointed by the Governor to be in charge of the Department of the Local Government to which the subject under discussion pertains, and includes any Member to whom such Member in charge may delegate any function assigned to him by these rules ; and

(3) " Secretary " means the Secretary to the Bengal Legislative Council, and includes the Assistant Secretary and every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

3. Any matter of general public interest may be discussed in Council subject to the following conditions and restrictions.

4. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Council by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Government of India or of the Governor or the Governor in Council with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Governor, any matter which is the subject of discussion between the Government of India or the Secretary of State and the Local Government ; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

Resolutions.

5. Subject to the restrictions contained in rule 4, any Member may move a resolution relating to a matter of general public interest :

Provided that no resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) It shall be in the form of a specific recommendation addressed to the Governor in Council ;

(*b*) it shall be clearly and precisely expressed, and shall raise a definite issue;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity.

6. A Member who wishes to move a resolution shall give notice in writing so as to reach the Secretary not later than 11 A.M. on the fifteenth day before the meeting of the Council at which he desires to move the same, and shall, together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice, or may extend the time for moving the resolution.

7. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 6 to the President, who may either admit it, or, when any resolution is not framed in accordance with rule 5, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

8. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that, in his opinion, it cannot be moved consistently with the public interests, or that it should be moved in the Legislative Council of another Local Government or of the Governor-General.

9. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

10. Resolutions admitted by the President shall be entered in the list of business for the day, in the order in which they are received by the Secretary:

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or may postpone the moving of any resolution.

Discussion of Resolutions.

11. The discussion of resolutions shall take place after all the other business of the day has been concluded.

12. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion, except, with the permission of the President, for the purpose of making an explanation.

13. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge, may speak for thirty minutes.

14. (*1*) Every Member shall speak from his place, shall rise when he speaks, and shall address the President.

(*2*) At any time, if the President rises, any Member speaking shall immediately resume his seat.

15. (*1*) Any Member may send his speech in print to the Secretary so as to reach the latter not later than 11 A.M. on the second day before the day fixed for the discussion of a resolution, with eighty spare copies; and the Secretary shall cause one of such copies to be supplied to every Member.

(*2*) If any Member desires to have his speech printed at the Government Press, he shall send it to the Secretary so as to reach him not later than 11 A.M. on the fifth day before the day fixed for the discussion of the resolution.

(*3*) Any such speech may, at the discretion of the President, be taken as read.

16. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

17. When a resolution is under discussion, any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 4 and 5, move an amendment to such resolution:

Provided that an amendment may not be moved which has merely the effect of a negative vote.

18. (*1*) If a copy of such amendment has not been sent so as to reach the Secretary by 11 A.M. on the third day before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment; and such objection shall prevail unless the President, in exercise of his power to suspend any of these rules, allows the amendment to be moved.

(*2*) The Secretary shall, if time permits, cause every amendment to be printed, and send a copy for the information of each Member.

19. A Member who has moved a resolution or an amendment of a resolution may withdraw the same, unless some other Member desires that it be put to the vote.

20. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may, in any case, address the Council before putting the question to the vote.

21. (*1*) When any amendment to any resolution is moved, the President, when putting the amendment to the Council, shall read the terms of the amendment.

(*2*) It shall be in the discretion of the President to put first to the Council either the original motion or any of the amendments which have been moved.

22. If any resolution involves many points, the President may, at his discretion, divide it so that each point may be determined separately.

23. (*1*) Every question shall be decided by a majority of votes, the President having, in case of an equality of votes, a second or casting vote.

(*2*) Votes shall be taken by voices, by show of hands, or by division, and shall always be taken by division if any Member so desires.

(*3*) The President shall determine the method of taking votes by division.

General.

24. (*1*) The President may assign such time as, with due regard to the public interests, he may consider reasonable for the discussion of resolutions or of any particular resolution.

(*2*) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

25. Every resolution, if carried, shall have effect only as a recommendation to the Governor in Council.

26. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 8 or withdrawn under rule 19, no resolution or amendment raising substantially the same question shall be moved within one year.

27. (*1*) The President shall preserve order, and all points of order shall be decided by him.

(*2*) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(*3*) Any Member may at any time submit a point of order for the decision of the President.

(*4*) The President shall have all powers necessary for the purpose of enforcing his decisions.

28. The Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

29. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure 4 (6) (iii).

Notification no. 4993-A., dated the 17th December 1912.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BENGAL.

In pursuance of section 5 of the Indian Councils Act, 1909 (as applied to the Governor in Council of the Presidency of Fort William in Bengal by section 1 of the Government of India Act, 1912), and with the sanction of the Governor-General in Council, the Governor in Council has made the following rules, authorizing the asking of questions at meetings of the Bengal Legislative Council :—

1. These rules may be called the Bengal Legislative (Questions) Rules, 1912.

2. In these rules—

(*1*) " President " means—

(*a*) the Governor, or

(*b*) in the absence of the Governor, the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909;

(*2*) " Member in charge " means the Member appointed by the Governor to be in charge of the Department of the Local Government to which the subject of a question pertains, and includes any Member to whom such Member in charge may delegate any function assigned to him by these rules ; and

(*3*) " Secretary " means the Secretary to the Bengal Legislative Council, and includes the Assistant Secretary and every person for the time being exercising the functions of the Secretary.

3. Any question may be asked by any Member, subject to the following conditions and restrictions.

4. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government or of the Government of India or of the Governor or the Governor in Council with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State, or

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

5. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

6. In matters which are or have been the subject of controversy between the Government of India or the Secretary of State and the Local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

7. A Member who wishes to ask a question shall give notice in writing so as to reach the Secretary, not later than 11 A.M., on the tenth day before the

meeting of the Council at which he desires to put the question, and shall, together with the notice, submit a copy of the question which he wishes to ask:

Provided that the President may allow a question to be put with shorter notice than ten days, and may, in any case, require longer notice, or may extend the time for answering a question.

8. (*1*) The Secretary shall submit every question of which notice has been given to him in accordance with rule 7 to the President, who may either allow it, or, when any question is not framed in accordance with rule 5 or rule 6, cause it to be returned to the Member concerned for the purpose of amendment.

(*2*) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

9. The President may disallow any question, or any part of a question, without giving any reason therefor other than that, in his opinion, it cannot be answered consistently with the public interests or that it should be put in the Legislative Council of another Local Government or of the Governor-General.

10. No discussion in Council shall be permitted in respect of any order of the President under rule 8 or rule 9.

11. Questions which have been allowed by the President shall be entered in a separate list of business for the day, and shall be put, in the order in which they stand in the list, before any other business is entered upon at the meeting.

12. Questions shall be put and answers given in such manner as the President may in his discretion determine.

13. Any member who has asked a question may put a supplementary question for the purpose of further elucidating any matter or fact regarding which a request for information has been made in his original question.

14. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

15. These rules, except rules 7 and 8, apply also to supplementary questions:

Provided that the President may disallow any supplementary question without giving any reason therefor.

16. The President may rule that an answer to a question entered in the list of business for the day shall be given on the ground of public interest, even though the question may have been withdrawn.

17. No discussion shall be permitted in respect of any question or of any answer given to a question.

18. All questions asked and the answers given shall be entered in the proceedings of the Council:

Provided that no question which has been disallowed by the President shall be so entered.

19. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

866HD—1,525—10-1-13—GCBP Simla

Enclosure no. 4 (7) (1).

Notification no. 7379-M., dated the 23rd December 1912.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BIHAR AND ORISSA.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Lieutenant-Governor in Council authorizing, at any meeting of the Legislative Council of the Lieutenant-Governor, the discussion of the Annual Financial Statement of the Government of Bihar and Orissa. The rules have received the sanction of the Governor General in Council and are now published for general information.

1. In these rules—

(1) "Finance Committee" means the Committee of the Council appointed under rules 2 and 3 to consider and revise the Draft Financial Statement;

(2) "President" means—

(*a*) the Lieutenant-Governor or

(*b*) in the absence of the Lieutenant-Governor, the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 38.

(3) "Finance Member" means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Finance Member under these rules;

(4) "Member in charge," with regard to any subject under discussion, means the Member of the Council appointed by the Lieutenant-Governor to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Government to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules;

(5) "Draft Financial Statement" means the preliminary financial proposals of the Local Government for the financial year next following;

(6) "Revised Financial Statement" means the Draft Financial Statement as revised by the Local Government with the approval of the Government of India after considering the proposals of the Finance Committee;

(7) "Budget" means the Financial Statement as finally sanctioned by the Government of India, after amendment with reference to resolutions passed in Council and accepted by the Local Government or to any special circumstances not previously foreseen; and

(8) "Secretary" means the Secretary to the Bihar and Orissa Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

The draft Financial Statement.

2. On a day not later than the 5th day of January in every year, the Lieutenant-Governor in Council shall appoint a Finance Committee for the purpose of discussing the draft Financial Statement and making proposals with reference thereto for the consideration of the Local Government.

3. (1) The Finance Committee shall consist of not more than twelve members, of whom not more than half shall be nominated by the Local Government.

(2) The remaining members of the Committee shall be elected by the non-official Members of Council by votes given under such procedure as the Local Government may from time to time prescribe by notification in the Bihar and Orissa Gazette.

4. The Finance Member shall be the Chairman of the Committee, and in the case of an equality of votes on any matter shall have a second or casting vote.

5. (1) On a day not later than the 18th day of January in every year, the Local Government shall refer to the Finance Committee the Draft Financial Statement.

(2) The draft shall comprise tabular statements showing—

(*a*) the opening balance of the Provincial account,

(*b*) the estimated Provincial revenue under the various major heads of account

(*c*) the estimated Provincial expenditure, under specific major heads, on existing establishments and schemes and on new schemes the cost of which is not considerable, or which the Local Government considers to be of an absolutely obligatory character,

(*d*) the amounts available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head "Unallotted Expenditure," and

(*e*) the estimated closing balance.

(3) The Draft Financial Statement shall be accompanied by a memorandum explaining the general financial situation of the province and discussing the estimates of revenue and expenditure under the various heads which have received the provisional approval of the Government of India. The memorandum shall also indicate as fully as possible the manner in which the Local Government provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and shall indicate, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made, the maximum recurring expenditure, and the total expenditure, (*a*) recurring and (*b*) non-recurring, which it is proposed to incur in the next financial year, shall be separately stated.

6. The Finance Committee shall consider how the provision made under the head "Unallotted Expenditure" referred to in clause (*d*) of sub-rule (2) of rule (5) shall be distributed among the specific major heads and to what purposes the sums thus allotted should be applied :

Provided that—

(*i*) the total provision for recurring and non-recurring expenditure on the new schemes shall not exceed the amount entered in the Draft Financial Statement as available for these purposes ; and

(*ii*) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

7. (1) The proceedings of the Committee shall be private and informal.

(2) They shall begin not later than the 20th day of January and be completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by a majority of votes.

8. The Finance Committee shall submit to the Local Government, not later than the 28th day of January, a report indicating the changes which it recommends in the Draft Financial Statement.

9. After considering the proposals of the Committee, the Local Government shall embody its own conclusions in the Draft Financial Statement, and shall refer the Statement thus amended to the Government of India.

The Revised Financial Statement.

10. (1) The Revised Financial Statement shall be presented to the Council on a day not later than the 13th day of March.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads, or groups of major heads.

(3) A week before the Revised Financial Statement is presented to the Council, copies of the amended Draft Financial Statement, as provisionally approved by the Government of India at the time, shall be supplied to the Members with a note that the figures and remarks contained in it are liable to alteration.

(4) Copies of the Revised Financial Statement, together with copies of a memorandum detailing the alterations made in the Statement of which copies have been previously supplied under sub-rule (3), shall be supplied to the Members not later than the day preceding that on which the Statement is presented to the Council

11. (1) On the day when the Revised Financial Statement is presented to the Council, each head or group of heads in the Statement, which is specified in the schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(2) The consideration of each such head or group of heads shall be introduced by the Member in charge with such explanations supplementing the information contained in the Revised Financial Statement as may appear to him to be necessary.

(3) Any Member shall then be at liberty to move any resolution relating to any question covered by any such head or group of heads which may be entered in his name in the List of Business, and the Council shall thereupon proceed to discuss every such resolution in the manner thereinafter prescribed.

12. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Lieutenant-Governor by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council or of the Lieutenant-Governor in Council with any Foreign State or any Native State in India or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Local Government, any matter which is the subject of discussion between the Governor General in Council and the Local Government ; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

13. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of specific recommendation addressed to the Local Government ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions, or defamatory statements nor shall it refer to the conduct or character of any person except in his official or public capacity ;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial Statement ;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement ;

(*f*) it shall not criticise any decision of the Government of India in respect of provincial finance ; and

(*g*) if it would in itself have the effect of causing the total expenditure of the province to exceed the amount sanctioned by the Government of India, it must propose some counterbalancing reduction in the estimates so as to avoid such excess.

14. A Member who wishes to move a resolution shall give notice in writing to the Secretary, prior to the date on which the Revised Financial Statement is presented to the Council, and he shall at the same time submit a copy of the resolution which he wishes to move :

Provided that the President may fix a date after which no such notice of resolution may be received.

15. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests, or that it should be moved in the Legislative Council of the Governor General.

16. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 15.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

17. Resolutions admitted by the President shall be entered in the List of Business in such order as he may direct.

Discussion of Resolutions.

18. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct.

(2) After all the Members have had an opportunity of speaking,—

(*a*) notwithstanding that the Member in charge has already spoken, if other Members, speaking after him, have introduced new points, the Member in charge shall have a right of reply on such new points,

(*b*) the Mover may speak once by way of reply, and

(*c*) any other Member may speak once by way of explanation.

19. Where identical resolutions stand in the names of two or more Members, the President shall decide whose resolution shall be moved ; and the other resolutions shall thereupon be deemed to be withdrawn.

20. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

21. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

22. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

23. (1) When any resolution is under discussion, any Member who has not taken part in the discussion may move "that the question be now put."

(2) The President may at his discretion, either reject such motion or put it to the Council.

(3) If such motion be put to the Council and carried by the votes of at least two-thirds of the Members present and voting, the question shall be put accordingly:

Provided that the President may, before putting the question, permit the mover of the original resolution and the Member in charge to exercise their right of reply.

24. The President may, in any case, address the Council before putting the question.

25. If any resolution, as moved, involves many points, the President may at his discretion divide it, so that each point may be determined separately.

26. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes shall be taken by voices, by show of hands or by division and shall always be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

27. (1) The President may assign such time as with due regard to the public interest he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

28. Every resolution, if carried, shall have effect only as a recommendation to the Local Government.

29. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 15 or withdrawn under rule 22, no resolution raising substantially the same question shall be moved within one year.

30. The discussion of the Revised Financial Statement shall be closed not later than the 16th day of March, or if the discussion commences before the 13th day of March, then on the third day of the discussion.

The Budget.

31. (1) On such day as may be appointed in this behalf by the Lieutenant-Governor in Council, the Budget shall be presented to the Council by the Finance Member who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

32. (1) The general discussion of the Budget in Council shall take place on such day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time-limit for speeches.

33. The discussion shall be limited to those branches of revenue and expenditure which are under the financial control of the Local Government and it shall not be permissible to enter upon criticisms of Imperial Finance.

34. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

35. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the Chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

36. (1) Any Member may send his speech in print to the Secretary not less than three clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

37. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

38. The Lieutenant-Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

39. The President for sufficient reason may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 11.

REVENUE.		EXPENDITURE.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
1	2	3	4
I.—Land Revenue	*IV.—Stamps.*	1.—Refunds and Drawbacks	*2.—Assignments and Compensation.*
V.—Excise	*VI.—Provincial Rates.*	3.—Land Revenue	*13.—Interest on debt.*
IX.—Forest	*VIII.—Assessed Taxes.*	6.—Stamps	*25.—Political.*
X.—Registration	*XVI-A.—Courts.**	7.—Excise	*42.—Major Works; Interest on debt.*
XII.—Interest	*XXVI.—State Railways.*	8.—Provincial Rates	*All statutory charges.*
XVI-B.—Jails	*All purely Imperial Revenue.†*	10.—Assessed Taxes	*All purely Imperial expenditure.§*
XVII.—Police		11.—Forest.	
XVIII.—Ports and Pilotage		12.—Registration.	
XIX.—Education...		18.—General Administration.‡	
XX.—Medical		19-A.—Courts of Law.‡	
XXI.—Scientific and other Minor Departments.		19-B.—Jails.	
		20.—Police.	
XXII.—Receipts in aid of Superannuation, etc.		21.—Ports and Pilotage.	

* Mainly Court-fees and fines.
† Purely Imperial heads of account are omitted from this list, *e.g.*, II, III, XI, XIII, XIV, etc.
‡ These heads include certain statutory charges, which will be excluded from debate.
§ Purely Imperial heads of account are omitted from this list, *e.g.*, 4, 5, 9, 15, etc.

Heads open to or excluded from discussion under rule 11—concld.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
1	2	3	4
XXIII.—Stationery and Printing ...		22.—Education.	
XXV.—Miscellaneous		24.—Medical.	
XXIX.—Irrigation, Major Works ...		26.—Scientific and other Minor Departments.	
XXX.—Minor Works and Navigation ...		29.—Superannuation Allowances and Pensions.	
XXXI.—Civil Works		30.—Stationery and Printing.	
		32.—Miscellaneous.	
		33.—Famine Relief.	
		36.—Reduction or Avoidance of Debt.	
		40.—Subsidized Companies: Land, etc.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation: Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		44.—Construction of Railways charged to Provincial revenues.	
		45.—Civil Works.	

Enclosure 4 (7) (*ii*).

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE BIHAR AND ORISSA LEGISLATIVE COUNCIL.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, and with the sanction of the Governor General in Council, the Lieutenant-Governor in Council is pleased to make the following rules, authorising the discussion of any matter of general public interest at any meeting of the Bihar and Orissa Legislative Council. 9 Edw. 7, c. 4.

1. In these rules,—

(*1*) "President" means—

(*a*) the Lieutenant-Governor, or,

(*b*) in the absence of the Lieutenant-Governor, the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909; or 9 Edw. 7, c. 4.

(*c*) the Member appointed to preside under rule 29;

(*2*) "Member in charge" means the Member appointed by the Lieutenant-Governor to be in charge of the Department of the Local Government to which the subject under discussion pertains, and includes any Member to whom such Member may delegate any function assigned to him by these rules; and

(*3*) "Secretary" means the Secretary to the Bihar and Orissa Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

2. Any matter of general public interest may be discussed in Council, subject to the following conditions and restrictions.

3. No discussion shall be permitted in regard to any of the following subjects, namely:—

(*a*) any subject removed from the cognizance of the Council by section 43 of the Indian Councils Act, 1861; or 24 & 25 Vict., c. 67.

(*b*) any matter affecting the relations of His Majesty's Government, or of the Governor General in Council, or of the Lieutenant-Governor in Council, with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State; or

(*c*) except with the sanction of the Lieutenant-Governor in Council, any matter which is the subject of discussion between the Governor General in Council and the Local Government; or

(*d*) any matter under adjudication by a Court of law having jurisdiction in any part of His Majesty's dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3 any Member may move a resolution relating to a matter of general public interest:

Provided that no resolution shall be moved which does not comply with the following conditions, namely:—

(*a*) it shall be in the form of a specific recommendation addressed to the Lieutenant-Governor in Council;

(*b*) it shall be clearly and precisely expressed, and shall raise a definite issue;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity.

5. A Member who wishes to move a resolution shall give notice in writing to the Secretary, at least fifteen clear days before the meeting of the Council at which he desires to move the same, and shall, together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice, or may extend the time for moving the resolution.

6. (*1*) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(*2*) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of another Local Government or of the Governor General.

8. (*1*) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution which has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the List of Business for the day, in the order in which they are received by the Secretary:

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or may postpone the moving of any resolution.

Discussion of Resolutions.

10. The discussion of resolutions shall take place after all the other business of the day has been concluded.

11. (*1*) After the mover of a resolution has spoken other Members may speak to the motion in such order as the President may direct.

(*2*) After all the Members have had an opportunity of speaking—

(*a*) notwithstanding that the Member in charge has already spoken, if other Members, speaking after him, have introduced new points, the Member in charge shall have a right of reply on such new points,

(*b*) the mover may speak once by way of reply, and

(*c*) any other Member may speak once by way of explanation.

12. Where identical resolutions stand in the names of two or more Members, the President shall decide whose resolution shall be moved and the other resolutions shall thereupon be deemed to be withdrawn.

13. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge, may speak for thirty minutes.

14. (*1*) Every Member shall speak from his place, shall rise when he speaks, and shall address the Chair.

(*2*) At any time, if the President rises, any Member speaking shall immediately resume his seat.

15. (*1*) Any Member may send his speech in print to the Secretary not less than *three* clear days before the day fixed for the discussion of a resolution, with eighty spare copies, and the Secretary shall cause one of such copies to be supplied to every Member.

(*2*) If any Member desires to have his speech printed at the Government Press, he shall send it to the Secretary for that purpose not less that five clear days before the day fixed for the discussion of the resolution.

16. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

17. When a resolution is under discussion any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution:

Provided that an amendment may not be moved which has merely the effect of a negative vote.

18. (*1*) If a copy of such amendment has not been sent to the Secretary at least three clear days before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment; and such objection shall prevail unless the President in exercise of his power to suspend any of these rules allows the amendment to be moved.

(*2*) The Secretary shall, if time permits, cause every amendment to be printed, and send a copy for the information of each Member.

19. A Member who has moved a resolution or an amendment of a resolution may withdraw the same, unless some Member desires that it be put to the vote.

20. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may, in any case, address the Council before putting the question to the vote.

21. (*1*) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(*2*) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

22. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

23. (*1*) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(*2*) Votes shall be taken by voices, by show of hands or by division, and shall always be taken by division if any member so desires.

(*3*) The President shall determine the method of taking votes by division.

General.

24. The President may assign such time as, with due regard to the public interests, he may consider reasonable, for the discussion of resolutions or of any particular resolution; and every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

25. Every resolution, if carried, shall have effect only as a recommendation to the Lieutenant-Governor in Council.

26. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 7 or withdrawn under rule 19, no resolution or amendment raising substantially the same question shall be moved within one year.

27. (*1*) The President shall preserve order, and all points of order shall be decided by him.

(*2*) No discussion on any point of order shall be allowed, unless the President thinks fit to take the opinion of the Council thereon.

(*3*) Any Member may at any time submit a point of order to the decision of the President.

(*4*) The President shall have all powers necessary for the purpose of enforcing his decisions.

28. The Lieutenant-Governor may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

29. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure 4 (7) (*iii*).

Notification No. 5608 A, dated the 9th December 1912.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BIHAR AND ORISSA.

IN exercise of the power conferred by section 5 of the Indian Councils Act, 1909, and with the sanction of the Governor General in Council, the Lieutenant-Governor in Council is pleased to make the following rules, authorizing the asking of questions at any meeting of the Bihar and Orissa Legislative Council :—

1. In these rules,—

(1) " President " means—

(*a*) the Lieutenant-Governor, or

(*b*) in the absence of the Lieutenant Governor the Vice-President appointed by the Lieutenant Governor under section 4 of the Indian Councils Act, 1909 ;

(2) " Member in charge " means the Member appointed by the Lieutenant-Governor to be in charge of the Department of the Local Government to which the subject of a question pertains, and includes any Member to whom such Member may delegate any function assigned to him by these rules ; and

(3) " Secretary " means the Secretary to the Bihar and Orissa Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member, subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government, or of the Governor General in Council, or of the Lieutenant-Governor in Council with any Foreign State or any Native State in India, or relating to the internal affairs of any such Native State, or

(*b*) any matter under adjudication by a Court of law having jurisdiction in any part of His Majesty's Dominions.

4. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the Local Government no question shall be asked except as to matters of fact, and the answers shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Sectetary at least ten clear days before the meeting of the Council at which he desires to put the question, and shall, together with the notice, submit a copy of the question which he wishes to ask.

Provided that the President may allow a question to be put with shorter notice than ten days, and may in any case require longer notice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it or, when any question is not framed in accordance with rule 4 or rule 5, cause it to be returned to the Member concerned, for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests or that it should be put in the Legislative Council of another Local Government or of the Governor General.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in a separate list of business for the day, and shall be put, in the order in which they stand in the list, before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

14. (1) When a supplementary question is asked at any meeting and the Member in charge declines to answer it without notice, the Official Reporter shall, after the meeting, read out his record to the Member who asked the question and shall make any corrections on it that such Member may desire.

(2) The said record shall then be taken as notice of the supplementary question, and the question shall be dealt with as provided in the rules, and if not disallowed, shall be answered at a subsequent meeting of the Council.

15. These rules, except rules 6 and 7, apply also to supplementary questions :

Provided that the President may disallow any supplementary question without giving any reason therefor.

16. The President may rule that an answer to a question entered in the list of business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

17. No discussion shall be permitted in respect of any question or of any answer given to a question.

18. All questions asked and the answers given shall be entered in the proceedings of the Council :

Provided that no question which has been disallowed by the President shall be so entered.

19. The President may assign such time as, with due regard to the public interest, he may consider reasonable for the putting and answering of questions.

Enclosure no. 4 (8) (*i*).

Notification no. 3883-L., dated the 23rd December 1912.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE CHIEF COMMISSIONER OF ASSAM.

IN exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, the following rules have been made by the Chief Commissioner authorising, at any meeting of the Legislative Council of the Chief Commissioner, the discussion of the Annual Financial Statement of the Assam Administration. The rules have received the sanction of the Governor General in Council and are now published for general information :—

1. In these rules—

(1) "Finance Committee" means the Committee of the Council appointed under rules 2 and 3 to consider and revise the Draft Financial Statement;

(2) "President" means—

(*a*) the Chief Commissioner, or

(*b*) the Vice-President appointed by the Chief Commissioner under section 4 of the Indian Councils Act, 1909, or

(*c*) the Member appointed to preside under rule 36;

(3) "Finance Member" means the Member of the Council appointed by the Chief Commissioner to perform the functions of the Finance Member under these rules;

(4) "Member in charge" with regard to any subject under discussion means the Member of the Council appointed by the Chief Commissioner to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Administration to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules;

(5) "Draft Financial Statement" means the preliminary financial proposals of the Chief Commissioner for the financial year next following;

(6) "Revised Financial Statement" means the Draft Financial Statement as revised by the Local Administration with the approval of the Government of India after the proposals of the Finance Committee have been considered;

(7) "Budget" means the Financial Statement as finally sanctioned by the Government of India, after amendment with reference to resolutions passed in Council and accepted by the Local Administration, or to any special circumstances not previously foreseen; and

(8) "Secretary" means the Secretary to the Legislative Council, and includes every person for the time being exercising the functions of the Secretary.

The Draft Financial Statement.

2. On a day not later than the 5th day of January in each year, the Chief Commissioner shall appoint a Finance Committee for the purpose of discussing the Draft Financial Statement and making proposals with reference thereto for the consideration of the Local Administration.

3. (1) The Finance Committee shall consist of not more than eight members, of whom not more than half shall be nominated by the Chief Commissioner.

(2) The remaining members of the Committee shall be elected by the non-official Members of Council by votes given under such procedure as the Chief Commissioner may from time to time prescribe by notification in the local official Gazette.

4. The Finance Member shall be the Chairman of the Committee, and, in the case of an equality of votes on any matter, shall have a second or casting vote.

5. (1) On a day not later than the 18th day of January in each year, the Local Administration shall refer the Draft Financial Statement to the Finance Committee.

(2) The draft shall comprise tabular statements showing—

(*a*) the opening balance of the provincial account,

(*b*) the estimated Provincial revenue under the various major heads of account,

(*c*) the estimated Provincial Expenditure, under specific major heads, on existing establishments and schemes and on new schemes the cost of which is not considerable or which the Local Administration considers to be of an absolutely obligatory character,

(*d*) the amounts available for maximum recurring expenditure and for total expenditure upon other new schemes, the latter being provisionally included under a head "Unallotted Expenditure", and

(*e*) the estimated closing balance.

(3) There shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the Local Administration provisionally proposes to allot the sum available for total expenditure on new schemes referred to in clause (*d*) of sub-rule (2), and also indicating, if thought desirable, alternative methods of distributing this expenditure. In respect of each suggestion thus made, the maximum recurring expenditure, and the total expenditure, (*a*) recurring and (*b*) non-recurring, which it is proposed to incur in the next financial year, should be separately stated.

6. (1) The Finance Committee shall consider how the provision made under the head "Unallotted Expenditure" referred to in clause (*d*) of sub-rule (2) of rule 5 shall be distributed among the specific major heads, and to what purposes the sums allotted should be applied:

Provided that—

(i) the total provision for recurring and non-recurring expenditure on the new schemes shall not exceed the amount entered in the Draft Financial Statement as available for these purposes; and

(ii) the limit of recurring expenditure shall be determined with reference to the maximum amount which a scheme will eventually involve, any difference between this figure and the recurring expenditure required to be provided in the Draft Financial Statement under discussion being made up by addition to non-recurring expenditure.

(2) It shall also consider the estimates of revenue and expenditure referred to in clauses (*b*) and (*c*) of sub-rule (2) of rule 5, and recommend such amendments in them as seem to it to be advisable so long as these do not materially affect heads of revenue and expenditure which the Local Administration shares with the Government of India:

Provided that any recommendation likely to reduce the estimated closing balance referred to in rule 5 (2) (*e*) shall be accompanied by proposals for a counter-balancing increase in revenue or reduction in expenditure referred to in clause (*c*) or (*d*) of sub-rule (2) of rule 5.

7. (1) The proceedings of the Committee shall be private and informal.

(2) They shall begin not later than the 20th day of January and be completed not later than the 27th day of the same month.

(3) Free discussion shall be allowed, but the Chairman may at his discretion close discussion upon any particular item when he thinks that it cannot be continued with advantage.

(4) Where the question of making any particular provision in the estimates coming within the scope of the Committee's functions is in dispute, the Member in charge shall be heard in its support, and the Committee shall then proceed to vote, the decision being by majority of votes.

8. The Finance Committee shall submit to the Local Administration not later than the 28th day of January a report indicating the changes which it recommends in the Draft Financial Statement.

9. After considering the proposals of the Committee, the Local Administration shall embody its own conclusions in the Draft Financial Statement, and shall refer the Statement thus amended to the Government of India.

The Revised Financial Statement.

10. (1) The Revised Financial Statement shall be presented to the Council on a day not later than the 13th day of March.

(2) It shall comprise a memorandum by the Finance Member explaining the general financial situation of the province in the current and ensuing years, together with memoranda explaining the estimates of revenue and expenditure under the various major heads, or groups of major heads.

(3) A week before the Revised Financial Statement is presented to the Council, copies of the amended Draft Financial Statement, as provisionally approved by the Government of India at the time, shall be supplied to the Members with a note that the figures and remarks contained in it are liable to alteration.

(4) Copies of the Revised Financial Statement, together with copies of a memorandum detailing the alterations made in the Statement of which copies have been previously supplied under sub-rule (3), shall be supplied to the Members not later than the day preceding that on which the Statement is presented to the Council.

11. (1) On the day when the Revised Financial Statement is presented to the Council, each head or group of heads in the Statement, which is specified in the schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(2) The consideration of each such head or group of heads shall be introduced by the Member in charge with such explanations, supplementing the information contained in the Revised Financial Statement, as may appear to him to be necessary.

(3) Any Member shall then be at liberty to move any resolution, relating to any question covered by any such head or group of heads, which may be entered in his name in the List of Business, and the Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

12. No discussion shall be permitted in regard to any of the following subjects, namely:—

(*a*) any subject removed from the cognizance of the Legislative Council of the Chief Commissioner by section 43 of the Indian Councils Act, 1861; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India, or of the Chief Commissioner with any Native State in India, or relating to the internal affairs of any such Native State; or

(*c*) except with the sanction of the Chief Commissioner, any matter which is the subject of discussion between the Governor General in Council and the Local Administration; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

13. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Chief Commissioner ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity ;

(*d*) it shall not challenge the accuracy of the figures of the Revised Financial Statement ;

(*e*) it shall be directly relevant to some entry in the Revised Financial Statement ;

(*f*) it shall not criticise any decision of the Government of India in respect of Provincial finance ; and

(*g*) if it would in itself have the effect of causing the total expenditure of the province to exceed the amount sanctioned by the Government of India, it must propose some counterbalancing reduction in the estimates so as to avoid such excess.

14. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, prior to the date on which the Revised Financial Statement is presented to the Council, and he shall at the same time submit a copy of the resolution which he wishes to move :

Provided that the President may fix a date after which no such notice of resolution may be received.

15. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests, or that it should be moved in the Legislative Council of the Governor General.

16. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 15.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

17. Resolutions admitted by the President shall be entered in the List of Business in such order as he may direct.

Discussion of Resolutions.

18. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

19. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

20. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

21. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

22. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

23. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

24. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

25. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which has not been put to the vote within the time so assigned shall be deemed to have been withdrawn.

26 Every resolution, if carried, shall have effect only as a recommendation to the Chief Commissioner.

27. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 15 or withdrawn under 21, no resolution raising substantially the same question shall be moved within one year.

28. The discussion of the Revised Financial Statement shall be closed not later than the 16th day of March, or, if the discussion commences before the 13th day of March, then on the third day of the discussion.

The Budget.

29. (1) On such day as may be appointed in this behalf by the Chief Commissioner, the Budget shall be presented to the Council by the Finance Member, who shall describe the changes that have been made in the figures of the Revised Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

30. (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time-limit for speeches.

31. The discussion shall be limited to those branches of revenue and expenditure which are under the financial control of the Local Administration, and it shall not be permissible to enter upon criticisms of Imperial Finance.

32. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

General.

33. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the Chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

34. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

35. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

36. The Chief Commissioner may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Revised Financial Statement or the Budget or any portion thereof is discussed in the Council.

37. The President, for sufficient reason, may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to, or excluded from, discussion under rule 11.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue	*IV.—Stamps.*	1.—Refunds and Drawbacks ...	*2.—Assignments and Compensations.*
V.—Excise	*VI.—Provincial Rates.*	3.—Land Revenue	*13.—Interest on debt.*
IX.—Forest	*VIII.—Assessed Taxes.*	6.—Stamps	*25.—Political.*
X.—Registration	*XVI-A.—Courts.**	7.—Excise	*42.—Major Works, Interest on debt.*
XII.—Interest	*XXVI.—State Railways.*	8.—Provincial Rates	*All statutory charges.*
XVI-B.—Jails	*All purely Imperial Revenue.†*	10.—Assessed Taxes	*All purely Imperial expenditure.§*
XVII.—Police		11.—Forest	
XVIII.—Ports and Pilotage		12.—Registration	
XIX.—Education		18.—General Administration‡	
XX.—Medical		19-A.—Courts of Law‡	
XXI.—Scientific and other Minor Departments.		19-B.—Jails	
XXII.—Receipts in aid of Superannuation, etc.		20.—Police	
		21.—Ports and Pilotage	

* Mainly Court-fees and fines.
† Purely Imperial heads of account are omitted from this list, *e.g.*, II, III, XI, XIII, XIV, etc.
‡ These heads included certain statutory charges, which will be excluded from debate.
§ Purely Imperial heads of account are omitted from this list, *e.g.*, 4, 5, 9, 15, etc.

866HD

THE SCHEDULE.

Heads open to, or excluded from, discussion under rule 11.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
XXIII.—Stationery and Printing.		22.—Education.	
XXV.—Miscellaneous.		24.—Medical.	
XXIX.—Irrigation: Major Works.		26.—Scientific and other Minor Departments.	
XXX.—Minor Works and Navigation.		29.—Superannuation Allowances and Pensions.	
XXXI.—Civil Works.		30.—Stationery and Printing.	
		32.—Miscellaneous.	
		33.—Famine Relief.	
		36.—Reduction or Avoidance of Debt.	
		40.—Subsidized Companies: Land, etc.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation: Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		44.—Construction of Railways charged to Provincial Revenues.	
		45.—Civil Works.	

Enclosure no. 4 (8) (ii).

Notification no. 3915-L., dated the 23rd December 1912.

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE CHIEF COMMISSIONER OF ASSAM.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, and with the sanction of the Governor General in Council, the Chief Commissioner is pleased to make the following rules, authorising at any meeting of the Legislative Council of the Chief Commissioner the discussion of any matter of general public interest :—

1. In these rules—

(1) "President" means—

(*a*) Chief Commissioner, or

(*b*) the Vice-President appointed by the Chief Commissioner under section 4 of the Indian Councils Act, 1909, or

(*c*) the member appointed to preside under rule 27 ;

(2) "Member in charge" with regard to any subject under discussion means the Member appointed by the Chief Commissioner to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Administration to which the subject under discussion belongs, and includes any Member to whom such Member may delegate any function assigned to him under these rules ; and

(3) "Secretary" means the officer appointed by the Chief Commissioner to perform the duties of the Secretary to the Council, and includes every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

2. Any matter of general public interest may be discussed in Council subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Chief Commissioner by section 43 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India, or of the Chief Commissioner with any Native State in India, or relating to the internal affairs of any such Native State ; or

(*c*) except with the sanction of the Chief Commissioner, any matter which is the subject of discussion between the Governor General in Council and the Local Administration ; or

(*d*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3, any Member may move a resolution relating to a matter of general public interest :

Provided that no resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommendation addressed to the Chief Commissioner ;

(*b*) it shall be clearly and precisely expressed, and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary at least fifteen clear days before the meeting of the Council at which he desires to move the same, and shall, together with the notice, submit a copy of the resolution which he wishes to move :

Provided the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice, or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests, or that it should be moved in the Legislative Council of another Local Government or of the Governor General.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the list of business for the day in the order in which they are received by the Secretary :

Provided that the President may give priority to any resolution which he may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of Resolutions.

10. The discussion of resolutions shall take place after all the other business of the day has been concluded.

11. (1) After the mover of a resolution has spoken other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except, with the permission of the President, for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration :

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. (1) Every Member shall speak from his place, shall rise when he speaks, and shall address the Chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

14. Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

15. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

16. When a resolution is under discussion, any Member may, subject to all the conditions and restrictions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution :

Provided that an amendment may not be moved which has merely the effect of a negative vote.

17. (1) If a copy of such amendment has not been sent to the Secretary at least three clear days before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment ; and such objection shall prevail unless the President, in exercise of his power to suspend any of these rules, allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed, and shall send a copy for the information of each Member.

18. A Member who has moved a resolution or an amendment of a resolution may withdraw the same unless some Member desires that it be put to the vote.

19. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make :

Provided that the President may in all cases address the Council before putting the question to the vote.

20. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

21. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

22. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division, and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

23. The President may assign such time as, with due regard to the public interest, he may consider reasonable for the discussion of resolutions or of any particular resolution ; every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

24. Every resolution, if carried, shall have effect only as a recommendation to the Chief Commissioner.

25. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 7 or withdrawn under rule 18, no resolution or amendment raising substantially the same question shall be moved within one year.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President shall think fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decision.

27. The Chief Commissioner may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

28. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure no. 4 (8) (iii).

Notification no. 3916-L., dated the 23rd December 1912.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE CHIEF COMMISSIONER OF ASSAM.

In exercise of the powers conferred by section 5 of the Indian Councils Act, 1909, and with the sanction of the Governor General in Council, the Chief Commissioner is pleased to make the following rules authorising the asking of questions at any meeting of the Legislative Council of the Chief Commissioner :—

1. In these rules :—

(1) " President " means—

(*a*) the Chief Commissioner, or

(*b*) the Vice-President appointed by the Chief Commissioner under section 4 of the Indian Councils Act, 1909 ;

(2) " Member in charge " with regard to any question means the Member appointed by the Chief Commissioner to perform the functions of the Member in charge under these rules in respect of the business of the Department of the Local Administration to which the subject of such question belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ; and

(3) " Secretary " means the officer appointed by the Chief Commissioner to perform the duties of the Secretary to the Council, and includes every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or with any Native State in India, or of the Chief Commissioner with any Native State in India, or relating to the internal affairs of any such Native State, or

(*b*) any matters under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

4. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council or the Secretary of State and the Local Administration, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

6. A Member, who wishes to ask a question, shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he

desires to put the question and shall, together with the notice, submit a copy of the question which he wishes to ask :

Provided that the President may allow a question to be put with shorter notice than ten days, and may in any case require longer notice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it or, when any question is not framed in accordance with rules 4 and 5, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interest, or that it should be put in the Legislative Council of another Local Government or of the Governor General.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in the list of business for the day, and shall be put in the order in which they stand in the list before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put only in the form of a fresh question at a subsequent meeting of the Council.

14. The foregoing rules, except rules 6 and 7, apply also to supplementary questions :

Provided that the President may disallow any supplementary question without giving any reason therefor.

15. The President may rule that an answer to a question in the list of business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

16. No discussion shall be permitted in respect of any question or of any answer given to a question.

17. All questions asked and the answers given shall be entered in the proceedings of the Council :

Provided that no question which has been disallowed by the President shall be so entered.

18. The President may assign such time as, with due regard to the public interest, he may consider reasonable for the putting and answering of questions.

Enclosure no. 4 (9) (*i*).

Notification no. 23, dated the 15th November 1909.

RULES FOR THE DISCUSSION OF THE ANNUAL FINANCIAL STATEMENT IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

1. In these rules—

(1) " President " means—

(*a*) the Governor General, or

(*b*) the President nominated by the Governor General in Council under section 6 of the Indian Councils Act, 1861, or

(*c*) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909, or

(*d*) the Member appointed to preside under rule 27 ;

(2) " Member in charge " means the Member of the Council of the Governor General to whom is allotted the business of the Department of the Government of India to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules ;

(3) " Finance Member " means the Member in charge of the Finance Department of the Government of India ;

(4) " Secretary " means the Secretary to the Government of India in the Legislative Department, and includes the Deputy Secretary and every person for the time being exercising the functions of the Secretary ;

(5) " Financial Statement " means the preliminary financial estimates of the Governor General in Council for the financial year next following ; and

(6) " Budget " means the Financial Statement as finally settled by the Governor General in Council.

THE FINANCIAL STATEMENT.

General order of discussion.

2. (1) On such day as may be appointed in this behalf by the Governor General, the Financial Statement with an explanatory memorandum shall be presented to the Council every year by the Finance Member, and a printed copy shall be given to every Member.

(2) No discussion of the Financial Statement shall be permitted on such day.

3. (1) On such later day as may be appointed in this behalf by the Governor General, the first stage of the discussion of the Financial Statement in Council shall commence.

(2) On this day, after the Finance Member has stated any changes in the figures of the Financial Statement which circumstances may since have rendered necessary and has made any explanations of that Statement which he may think fit, any Member shall be at liberty to move any resolution entered in his name in the list of business relating to any alteration in taxation, any new loan or any additional grant to Local Governments proposed or mentioned in such Statement or explanatory memorandum, and the Council shall thereupon proceed to discuss each such resolution in the manner hereinafter prescribed.

4. (1) The second stage of the discussion of the Financial Statement shall commence as soon as may be after all the resolutions which may be moved as aforesaid have been disposed of.

(2) In this stage each head or group of heads specified in the statement contained in the Schedule appended to these rules as being open to discussion, shall be considered separately according to such grouping as the Member in charge may determine.

(3) The consideration of a particular head or group of heads shall be introduced by the Member in charge with such explanations, supplementing the information contained in the Financial Statement, as may appear to him to be necessary.

(4) Any Member shall then be at liberty to move any resolution relating to any question covered by any such head or group of heads which may be entered in his name in the list of business, and the Council shall thereupon proceed to discuss every such resolution in the manner hereinafter prescribed.

Subjects excluded from discussion.

5. No discussion shall be permitted in regard to any of the following subjects, namely :—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor General by section 22 of the Indian Councils Act, 1861 ; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India ; or

(*c*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

Resolutions.

6. No resolution shall be moved which does not comply with the following conditions, namely :—

(*a*) it shall be in the form of a specific recommenadtion addressed to the Governor General in Council ;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue ;

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity ;

(*d*) it shall not challenge the accuracy of the figures of the Financial Statement ; and

(*e*) it shall be directly relevant to some entry in the Financial Statement.

7. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary at least two clear days before the commencement of the stage of the discussion to which the resolution relates, and shall together with the notice submit a copy of the resolution which he wishes to move.

8. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of a local Government.

9. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 8.

(2) A resolution that has been disallowed shall not be entered in the proceedings of the Council.

10. Resolutions admitted by the President shall be entered in the list of business in such order as he may direct.

Discussion of Resolutions.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion except with the permission of the President for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

14. A Member who has moved a resolution may withdraw the same unless some Member desires that it be put to the vote.

15. When, in the opinion of the President, a resolution has been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

16. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

17. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

18. (1) The President may assign such time as with due regard to the public interests he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which shall not have been put to the vote within the time so assigned shall be considered to have been withdrawn.

19. Every resolution, if carried, shall have effect only as a recommendation to the Governor General in Council.

20. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 8 or withdrawn under rule 14, no resolution raising substantially the same question shall be moved within one year.

THE BUDGET.

21. (1) On or before the 24th day of March in every year the Budget shall be presented to the Council by the Finance Member, who shall describe the changes that have been made in the figures of the Financial Statement, and shall explain why any resolutions passed in Council have not been accepted.

(2) A printed copy of the Budget shall be given to each Member.

22 (1) The general discussion of the Budget in Council shall take place on such later day as may be appointed by the President for this purpose.

(2) At such discussion, any Member shall be at liberty to offer any observations he may wish to make on the Budget, but no Member shall be permitted to move any resolution in regard thereto, nor shall the Budget be submitted to the vote of the Council.

(3) It shall be open to the President, if he thinks fit, to prescribe a time limit for speeches.

23. The Finance Member shall have the right of reply, and the discussion shall be closed by the President making such observations as he may consider necessary.

GENERAL.

24. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

25. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to every Member.

(2) Any such speech may, at the discretion of the President, be taken as read.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

27. The Governor General may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which the Financial Statement or the Budget or any portion thereof is discussed in the Council.

28. The President, for sufficient reason, may suspend any of the foregoing rules.

THE SCHEDULE.

Heads open to or excluded from discussion under rule 4.

REVENUE.		EXPENDITURE.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
I.—Land Revenue	*IV.—Stamps.*	1.—Refunds and drawbacks	*2.—Assignments and Compensations.*
II.—Opium	*VII.—Customs.*	3.—Land Revenue	*13.—Interest on debt.*
III.—Salt	*VIII.—Assessed Taxes.*	4.—Opium	*23.—Ecclesiastical.*
V.—Excise	*XI.—Tributes from Native States.*	5—Salt	*25.—Political.*
VI.—Provincial Rates	*XVI-A.—Courts.**	6.—Stamps	*27. Territorial and Political Pensions.*
IX.—Forest	*XXXII.—Army.*	7.—Excise	*38.—State Railways.†*
X.—Registration	*XXXIII.—Marine.*	8.—Provincial Rates	*42.—Major Works : Interest on debt.*
XII.—Interest	*XXXIV.—Military Works.*	9.—Customs	*46.—Army.*
XIII.—Post Office	*All purely Provincial revenue and revenue accruing from divided heads in Provinces possessing Legislative Councils.*	10.—Assessed Taxes	*46-A.—Marine.*
XIV.—Telegraph...		11.—Forests	*47.—Military Works.*
XV.—Mint		12.—Registration	*47-A.—Special Defences.*
XV-B.—Jails		14.—Interest on other obligations ...	*All statutory charges.*
XVII.—Police		15.—Post Office	*All purely Provincial expenditure and expenditure accruing under divided heads in Provinces possessing Legislative Councils.*
XIX.—Education		16.—Telegraphs	

* Mainly Court-fees and fines.
† This head deals purely with interest, sinking funds and annuities.

Heads open to or excluded from discussion under rule 4—contd.

Revenue.		Expenditure.	
Heads open to discussion.	*Heads not open to discussion.*	Heads open to discussion.	*Heads not open to discussion.*
XX.—Medical		17.—Mint	
XXI.—Scientific and other Minor Departments		18.—General Administration* ...	
XXII.—Receipts in aid of Superannuation, etc.		19-A.—Courts of Law*	
XXIII.—Stationery and Printing ...		19-B.—Jails	
XXIV.—Exchange		20.—Police	
XXV.—Miscellaneous		22.—Education	
XXVI.—State Railways		24.—Medical	
XXVIII.—Subsidised Companies ...		26—Scientific and other Minor Departments	
XXIX.—Irrigation, Major Works ...		28—Civil Furlough and Absentee Allowances	
XXX.—Minor Works and Navigation ...		29.—Superannuation Allowances and Pensions.	
XXXI.—Civil Works		30.—Stationery and Printing.	
		31.—Exchange.	
		32.—Miscellaneous.	
		33.—Famine Relief.	
		34.—Construction of Protective Railways.	
		35.—Construction of Protective Irrigation Works.	
		36.—Reduction or Avoidance of Debt.	
		40.—Subsidised Companies; Land, etc.	
		41.—Miscellaneous Railway Expenditure.	
		42.—Irrigation; Major Works—Working Expenses.	
		43.—Minor Works and Navigation.	
		45.—Civil Works.	
		48.—State Railways; Capital Expenditure not charged to Revenue.	
		49.—Irrigation Works; Capital Expenditure not charged to Revenue.	

* These heads include certain statutory charges, which will be excluded from debate.

Enclosure 4 (9) (*ii*).

Notification no. 24, dated the 15th November 1909.

RULES FOR THE DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

1. In these rules—

(1) "President" means—

(*a*) the Governor General, or

(*b*) the President nominated by the Governor General in Council under section 6 of the Indian Councils Act, 1861, or

(*c*) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909, or

(*d*) the Member appointed to preside under rule 27;

(2) "Member in charge" means the Member of the Council of the Governor General to whom is allotted the business of the Department of the Government of India to which the subject under discussion belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules; and

(3) "Secretary" means the Secretary to the Government of India in the Legislative Department, and includes the Deputy Secretary and every person for the time being exercising the functions of the Secretary.

Matters open to discussion.

2. Any matter of general public interest may be discussed in the Council subject to the following conditions and restrictions.

3. No such discussion shall be permitted in regard to any of the following subjects, namely:—

(*a*) any subject removed from the cognizance of the Legislative Council of the Governor General by section 22 of the Indian Councils Act, 1861; or

(*b*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or any Native State in India; or

(*c*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

Resolutions.

4. Subject to the restrictions contained in rule 3, any Member may move a resolution relating to a matter of general public interest:

Provided that no resolution shall be moved which does not comply with the following conditions, namely:—

(*a*) it shall be in the form of a specific recommendation addressed to the Governor General in Council;

(*b*) it shall be clearly and precisely expressed and shall raise a definite issue; and

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.

5. A Member, who wishes to move a resolution, shall give notice in writing to the Secretary, at least fifteen clear days before the meeting of the Council

at which he desires to move the same, and shall together with the notice submit a copy of the resolution which he wishes to move:

Provided that the President may allow a resolution to be moved with shorter notice than fifteen days, and may, in any case, require longer notice or may extend the time for moving the resolution.

6. (1) The Secretary shall submit every resolution of which notice has been given to him in accordance with rule 5 to the President, who may either admit it or, when any resolution is not framed in accordance with rule 4, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the resolution duly amended, the resolution shall be deemed to have been withdrawn.

7. The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests or that it should be moved in the Legislative Council of a Local Government.

8. (1) No discussion in Council shall be permitted in respect of any order of the President under rule 6 or rule 7.

(2) A resolution which has been disallowed shall not be entered in the proceedings of the Council.

9. Resolutions admitted by the President shall be entered in the list of business for the day in the order in which they are received by the Secretary:

Provided that the President may give priority to any resolution which be may consider to be of urgent public interest, or postpone the moving of any resolution.

Discussion of Resolutions.

10. The discussion of resolutions shall take place, after all the other business of the day has been concluded.

11. (1) After the mover of a resolution has spoken, other Members may speak to the motion in such order as the President may direct, and thereafter the mover may speak once by way of reply.

(2) No Member other than the mover and the Member in charge shall speak more than once to any motion, except with the permission of the President, for the purpose of making an explanation.

12. No speech, except with the permission of the President, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same, and the Member in charge may speak for thirty minutes.

13. (1) Every Member shall speak from his place, shall rise when he speaks and shall address the chair.

(2) At any time, if the President rises, any Member speaking shall immediately resume his seat.

14. (1) Any Member may send his speech in print to the Secretary not less than two clear days before the day fixed for the discussion of a resolution, with as many copies as there are Members, and the Secretary shall cause one of such copies to be supplied to each Member.

(2) Any such speech may at the discretion of the President be taken as read.

15. The discussion of a resolution shall be limited to the subject of the resolution, and shall not extend to any matter as to which a resolution may not be moved.

16. When a resolution is under discussion any Member may, subject to all the restrictions and conditions relating to resolutions specified in rules 3 and 4, move an amendment to such resolution:

Provided tha tan amendment may not be moved which has merely the effect of a negative vote.

17. (1) If a copy of such amendment has not been sent to the Secretary at least three clear days before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment; and such objection shall prevail unless the President in exercise of his power to suspend any of these rules allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed and send a copy for the information of each Member.

18. A Member who had moved a resolution or an amendment of a resolution may withdraw the same unless some Member desires that it be put to the vote.

19. When, in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed, he may close the discussion by calling upon the mover to reply and the Member in charge to submit any final observations which he may wish to make:

Provided that the President may in all cases address the Council before putting the question to the vote.

20. (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

21. If any resolution involves many points, the President at his discretion may divide it, so that each point may be determined separately.

22. (1) Every question shall be resolved in the affirmative or in the negative according to the majority of votes.

(2) Votes may be taken by voices or by division and shall be taken by division if any Member so desires.

(3) The President shall determine the method of taking votes by division.

General.

23. (1) The President may assign such time as, with due regard to the public interests, he may consider reasonable for the discussion of resolutions or of any particular resolution.

(2) Every resolution which shall not have been put to the vote within the time so assigned shall bc considered to have been withdrawn.

24. Every resolution, if carried, shall have effect only as a recommendation to the Governor General in Council.

25. When a question has been discussed at a meeting of the Council, or when a resolution has been disallowed under rule 7 or withdrawn under rule 18, no resolution or amendment raising substantially the same question shall be moved within one year.

26. (1) The President shall preserve order, and all points of order shall be decided by him.

(2) No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon.

(3) Any Member may at any time submit a point of order to the decision of the President.

(4) The President shall have all powers necessary for the purpose of enforcing his decisions.

27. The Governor General may appoint a Member of the Council to preside in his place, or in that of the Vice-President, on any occasion on which a matter of general public interest is discussed in the Council.

28. The President, for sufficient reason, may suspend any of the foregoing rules.

Enclosure 4 (9) (*iii*).

Notification no. 25, dated 15th November 1909.

RULES FOR THE ASKING OF QUESTIONS IN THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

1. In these rules—

(1) "President" means—

(*a*) the Governor General, or

(*b*) the President appointed under section 6 of the Indian Councils Act, 1861; or

(*c*) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909;

(2) "Member in charge" means the Member of the Council of the Governor General to whom is allotted the business of the Department of the Government of India to which the subject of the question belongs, and includes any Member to whom such Member in charge may delegate any function assigned to him under these rules; and

(3) "Secretary" means the Secretary to the Government of India in the Legislative Department, and includes the Deputy Secretary and every person for the time being exercising the functions of the Secretary.

2. Any question may be asked by any Member subject to the following conditions and restrictions.

3. No question shall be permitted in regard to any of the following subjects, namely :—

(*a*) any matter affecting the relations of His Majesty's Government or of the Governor General in Council with any Foreign State or with any Native State in India, or

(*b*) any matter under adjudication by a Court of Law having jurisdiction in any part of His Majesty's Dominions.

4. No question shall be asked unless it complies with the following conditions, namely :—

(*a*) it shall be so framed as to be merely a request for information,

(*b*) it shall not be of excessive length,

(*c*) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity, and

(*d*) it shall not ask for an expression of an opinion or the solution of a hypothetical proposition.

5. In matters which are or have been the subject of controversy between the Governor General in Council and the Secretary of State or a local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

6. A Member who wishes to ask a question shall give notice in writing to the Secretary at least ten clear days before the meeting of the Council at which he desires to put the question and shall, together with the notice, submit a copy of the question which he wishes to ask:

Provided that the President may allow a question to be put with shorter notice than ten days and may in any case require longer notice or may extend the time for answering a question.

7. (1) The Secretary shall submit every question of which notice has been given to him in accordance with rule 6 to the President, who may either allow it or, when any question is not framed in accordance with rules 4 and 5, cause it to be returned to the Member concerned for the purpose of amendment.

(2) If the Member does not, within such time as the President may fix in this behalf, resubmit the question duly amended, the question shall be deemed to have been withdrawn.

8. The President may disallow any question, or any part of a question, without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests or that it should be put in the Legislative Council of a Local Government.

9. No discussion in Council shall be permitted in respect of any order of the President under rule 7 or rule 8.

10. Questions which have been allowed shall be entered in the list of business for the day and shall be put in the order in which they stand in the list before any other business is entered upon at the meeting.

11. Questions shall be put and answers given in such manner as the President may in his discretion determine.

12. Any Member who has asked a question may put a supplementary question for the purpose of further elucidating any matter of fact regarding which a request for information has been made in his original question.

13. The Member in charge may decline to answer a supplementary question without notice, in which case the supplementary question may be put in the form of a fresh question at a subsequent meeting of the Council.

14. These rules, except rules 6 and 7, apply also to supplementary questions:

Provided that the President may disallow any supplementary question without giving any reason therefor.

15. The President may rule that an answer to a question in the list of business for the day shall be given on the ground of public interest even though the question may have been withdrawn.

16. No discussion shall be permitted in respect of any question or of any answer given to a question.

17. All questions asked and the answers given shall be entered in the proceedings of the Council:

Provided that no question which has been disallowed by the President shall be so entered.

18. The President may assign such time as, with due regard to the public interests, he may consider reasonable for the putting and answering of questions.

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CONSTITUTION OF THE LEGISLATIVE COUNCILS.

Constitution of Councils in 1908.		Constitution of Councils under the Regulations of 1909.		Constitution of Councils under the Regulations of 1912.	
IMPERIAL LEGISLATIVE COUNCIL.		**IMPERIAL LEGISLATIVE COUNCIL.**		**IMPERIAL LEGISLATIVE COUNCIL.**	
Ex-officio.		*Ex-officio.*		*Ex-officio.*	
The Lieutenant-Governor of Bengal (or of the Punjab when the Council assembles in Simla), the Commander-in-Chief and the members of the Executive Council...	8	The 6 ordinary members of the Governor-General's Council, the Commander-in-Chief, and the Lieutenant-Governor of the Province in which the Council sits	8	The 6 ordinary members of the Governor-General's Council, the Commander-in-Chief, and the Lieutenant-Governor or Chief Commissioner of the Province in which the Council sits	8
Additional.		*Additional.*		*Additional.*	
Nominated members: not more than 9 to be officials; the non-officials nominated with reference to legislative business or to represent interests ...	11	Nominated members, of whom not more than 28 must be officials; 8 to be officials representing provinces, and 3, being non-officials, to be selected respectively from the landholders of the Punjab, the Muhammadans of the Punjab, and the Indian commercial community ...	35	Nominated members, of whom not more than 28 must be officials; and of whom 9 are officials representing provinces, and 3, being non-officials, shall be selected respectively from the landholders of the Punjab, the Muhammadans of the Punjab, and the Indian commercial community	33
Nominated members, recommended by—		Elected members, elected by—		Elected members, elected by—	
(*a*) The Legislative Councils of Madras, Bombay, Bengal, and the United Provinces	4	(*a*) The Provincial Legislative Councils[r] ...	12	(*a*) The Provincial Legislative Councils[o] ...	13
(*b*) By the Calcutta Chamber of Commerce	1	(*b*) The landholders of Madras, Bombay, Bengal, Eastern Bengal and Assam, the United Provinces and the Central Provinces ...	6	(*b*) The landholders of Madras, Bombay, Bengal, the United Provinces, Bihar and Orissa and the Central Provinces	6
	— 5	(*c*) The Muhammadans of Madras, Bombay, Bengal, Eastern Bengal and Assam and the United Provinces ...	5	(*c*) The Muhammadans of Madras, Bombay, Bengal, the United Provinces, and Bihar and Orissa	5
				(*d*) The Muhammadan landholders in the United Provinces *or* the Muhammadans of Bengal (at alternate Elections)	1
		(*d*) The Chambers of Commerce, Calcutta and Bombay	2	(*e*) The Chambers of Commerce, Calcutta and Bombay	2
			— 25		— 27
TOTAL ...	24	TOTAL ...	68	TOTAL ...	68
Or, including the Governor-General	25	Or, including the Governor-General	69	Or, including the Governor-General	69

* In the case of the Central Provinces, where there has been no Legislative Council hitherto, the representative is elected by the District Councils and Municipal Committees.

Constitution of Councils in 1908.	Constitution of Councils under the Regulations of 1909.	Constitution of Councils under the Regulations of 1912.
PROVINCIAL LEGISLATIVE COUNCILS.	**PROVINCIAL LEGISLATIVE COUNCILS.**	**PROVINCIAL LEGISLATIVE COUNCILS.**
MADRAS.	**MADRAS.**	**MADRAS.**
Ex-officio.	*Ex-officio.*	*Ex-officio.*
Members of the Executive Council 2	Members of the Executive Council 3	Members of the Executive Council 3
Advocate-General 1	Advocate-General 1	Advocate-General 1
Additional.	*Additional.*	*Additional.*
Nominated members; not more than 9 to be officials; the non-officials to represent different classes, 1 ordinarily to be a zamindar paying not less than Rs. 20,000 *peshkash* annually ... 13	Nominated members; not more than 16 to be official and 1 to be a representative of Indian commerce 23	Nominated members, of whom not more than 16 are to be officials and 1 to be a representative of Indian commerce ... 21
	Nominated experts, who may be either officials or non-officials 2	Nominated experts, who may be either officials or non-officials 2
Nominated members, recommended by—	Elected members, elected by—	Elected members, elected by—
(*a*) Corporation of Madras 1	(*a*) Corporation of Madras 1	(*a*) The Corporation of Madras ... 1
(*b*) Municipalities and District Boards ... 4	(*b*) Municipalities and District and Taluk Boards 8	(*b*) Municipalities and District Boards ... 9
(*c*) The University ... 1	(*c*) The University ... 1	(*c*) The University ... 1
(*d*) The Chamber of Commerce, or other commercial bodies ... 1	(*d*) The landholders ... 4	(*d*) The landholders ... 5
— 7	(*e*) The planting community 1	(*e*) The planting community 1
	(*f*) Muhammadans ... 2	(*f*) Muhammadans ... 2
	(*g*) The Madras Chamber of Commerce ... 1	(*g*) The Madras Chamber of Commerce ... 1
	(*h*) The Madras Trades Association 1	(*h*) The Madras Trades Association 1
	— 19	— 21
TOTAL ... 23	TOTAL ... 48	TOTAL ... 48
Or, including the Governor 24	Or, including the Governor 49	Or, including the Governor 49
BOMBAY.	**BOMBAY.**	**BOMBAY.**
Ex-officio.	*Ex-officio.*	*Ex-officio.*
Members of the Executive Council 2	Members of the Executive Council 3	Members of the Executive Council 3
Advocate-General 1	Advocate-General 1	Advocate-General 1
Additional.	*Additional.*	*Additional.*
Nominated members; not more than 9 to be officials; the non-officials to represent different classes of the community 12	Nominated members not more than 14 to be officials 21	Nominated members, of whom not more than 14 are to be officials ... 21
	Nominated experts, who may be either officials or non-officials 2	Nominated experts, who may be either officials or non-officials 2
Nominated members, recommended by—	Elected members, elected by—	Elected members, elected by—
(*a*) Corporation of Bombay 1	(*a*) Corporation of Bombay 1	(*a*) The Corporation of Bombay 1
(*b*) Municipalities* ... 1	(*b*) Municipalities ... 4	(*b*) Municipalities ... 4
(*c*) District Boards ... 2	(*c*) District Boards ... 4	(*c*) District Boards ... 4
(*d*) Bombay University 1	(*d*) The University ... 1	(*d*) The University ... 1
(*e*) Sardars of the Deccan and Zamindars of Sind 2	(*e*) The landholders ... 3	(*e*) The landholders ... 3
	(*f*) Muhammadans ... 4	(*f*) Muhammadans ... 4
(*f*) Bombay Chamber of Commerce, or other commercial bodies ... 1	(*g*) The Bombay Chamber of Commerce ... 1	(*g*) The Bombay Chamber of Commerce ... 1
— 8	(*h*) The Karachi Chamber of Commerce ... 1	(*h*) The Karachi Chamber of Commerce ... 1
	(*i*) The Millowners' Associations of Bombay and Ahmedabad 1	(*i*) The Millowners' Associations of Bombay and Ahmedabad 1
	(*j*) The Indian commercial community ... 1	(*j*) The Indian commercial community ... 1
	— 21	— 21
TOTAL ... 23	TOTAL ... 48	TOTAL ... 48
Or, including the Governor 24	Or, including the Governor 49	Or, including the Governor 49

* Voting by electoral representatives on a population scale.

Constitution of Councils in 1908.			Constitution of Councils under the Regulations of 1909.			Constitution of Councils under the Regulations of 1912.		
BENGAL.			**BENGAL.**			**BENGAL.**		
			Ex-officio.			*Ex-officio.*		
			Members of the Executive Council		3	Members of the Executive Council		3
			Additional.			*Additional.*		
Nominated members; not more than 10 to be officials; the non-officials to represent different classes of the community		13	Nominated members; not more than 17 to be officials and 1 to be a representative of the planting community and 1 of Indian commerce		22	Nominated members, not more than 16 to be officials, and 1 to be a representative of the European commercial community outside Calcutta and Chittagong, and 1 of Indian Commerce ...		20
			Nominated experts, who may be either officials or non-officials		2	Nominated experts, who may be either officials or non-officials		2
Nominated members recommended by—			Elected members, elected by—			Elected members, elected by—		
(*a*) Corporation of Calcutta	1		(*a*) The Corporation of Calcutta	1		(*a*) The Corporation of Calcutta	1	
(*b*) Municipalities (by rotation)	1		(*b*) Municipalities ...	6		(*b*) Municipalities ...	5	
(*c*) District Boards (by rotation)	2		(*c*) District Boards ...	6		(*c*) District Boards ...	5	
(*d*) The University ...	1		(*d*) The University ...	1		(*d*) The University ...	1	
(*e*) The Landholders' Association	1		(*e*) The Landholders...	5		(*e*) The Landholders	4	
(*f*) The Chamber of Commerce or other commercial bodies ...	1		(*f*) Muhammadans ...	4		(*f*) Muhammadans ...	5	
	—	7	(*g*) The Bengal Chamber of Commerce ...	2		(*g*) The Bengal Chamber of Commerce ...	2	
			(*h*) The Calcutta Trades Association	1		(*h*) The Calcutta Trades Association	1	
				—	26	(*i*) The Chittagong Port Commissioners ...	1	
						(*k*) Commissioners of the Corporation of Calcutta (excluding nominees of Government)	1	
						(*l*) The tea-planting community	1	
						(*m*) Municipalities of the Chittagong Division *or* (at alternate elections) landholders of the same Division	1	
							—	28
TOTAL ...		20	TOTAL ...		53	TOTAL ...		53
Or, including the Lieutenant-Governor		21	Or, including the Lieutenant-Governor		54	Or, including the Governor		54
UNITED PROVINCES.			**UNITED PROVINCES.**			**UNITED PROVINCES.**		
Nominated members; not more than 7 to be officials; non-officials to represent different classes of the community...		9	Nominated members; not more than 20 to be officials and 1 to be a representative of Indian commerce		26	Nominated members, not more than 20 to be officials, and 1 to be a representative of Indian commerce		26
			Nominated experts, who may be either officials or non-officials		2	Nominated experts, who may be either officials or non-officials		2
Nominated members, recommended by—			Elected members, elected by—			Elected members, elected by—		
(*a*) Groups of Municipalities	2		(*a*) Large municipalities in rotation ...	4		(*a*) Large municipalities in rotation	4	
(*b*) Groups of District Boards	2		(*b*) The District Boards and smaller municipalities	8		(*b*) District Boards and smaller municipalities	9	
(*c*) University of Allahabad	1		(*c*) Allahabad University	1		(*c*) Allahabad University	1	
(*d*) Upper India Chamber of Commerce or other commercial bodies	1		(*d*) The Landholders...	2		(*d*) The Landholders...	2	
	—	6	(*e*) Muhammadans ...	4		(*e*) Muhammadans ...	4	
			(*f*) The Upper India Chamber of Commerce	1		(*f*) The Upper India Chamber of Commerce	1	
				—	20		—	21
TOTAL ...		15	TOTAL ...		48	TOTAL ...		49
Or, including the Lieutenant-Governor		16	Or, including the Lieutenant-Governor		49	Or, including the Lieutenant-Governor		50

Constitution of Councils in 1908.		Constitution of Councils under the Regulations of 1909.		Constitution of Councils under the Regulations of 1912.	
PUNJAB.		**PUNJAB.**		**PUNJAB.**	
Nominated members :—		Nominated members; not more than 10 to be officials	19	Nominated members; not more than 10 to be officials	16
Officials	4				
Non-officials	5	Nominated experts, who may be either officials or non-officials	2	Nominated experts, who may be either officials or non-officials	2
		Elected members, elected by—		Elected members, elected by—	
		(*a*) The Punjab Chamber of Commerce ... 1		(*a*) The Punjab Chamber of Commerce ... 1	
		(*b*) The Punjab University 1		(*b*) The Punjab University 1	
		(*c*) Municipal and Cantonment Committees 3		(*c*) Municipal and Cantonment Committees 3	
		—	5	(*d*) District Boards ... 3	
				—	8
TOTAL ...	9	TOTAL ...	26	TOTAL ...	26
Or, including the Lieutenant-Governor	10	Or, including the Lieutenant-Governor	27	Or, including the Lieutenant-Governor	27
BURMA.		**BURMA.**		**BURMA.**	
Nominated members :—		Nominated officials	6	Nominated officials	6
Officials	5	Nominated non-officials :—		Nominated non-officials :—	
Non-officials	4	(*a*) To represent the Burmese population ... 4		(*a*) To represent the Burmese population ... 4	
		(*b*) To represent the Indian and Chinese communities 2		(*b*) To represent the Indian and Chinese communities 2	
		(*c*) To represent other interests 2		(*c*) To represent other interests 2	
		—	8	—	8
		Nominated experts, who may be either officials or non-officials	2	Nominated experts, who may be either officials or non-officials	2
		Elected by the Burma Chamber of Commerce ...	1	Elected by the Burma Chamber of Commerce ...	1
TOTAL ...	9	TOTAL ...	17	TOTAL ...	17
Or, including the Lieutenant-Governor	10	Or, including the Lieutenant-Governor	18	Or, including the Lieutenant-Governor	18
EASTERN BENGAL AND ASSAM.		**EASTERN BENGAL AND ASSAM.**		**ASSAM.**	
Nominated members; not more than 7 to be officials; the non-officials to represent different classes of the community	9	Nominated members; not more than 17 to be officials and 1 to be a representative of Indian commerce	22	Nominated members; not more than 9 to be officials	13
		Nominated experts, who may be either officials or non-officials	2	Nominated expert, who may be either an official or a non-official	1
Nominated members recommended by—		Elected members, elected by—		Elected members, elected by—	
(*a*) Municipalities and District Boards ... 3		(*a*) Municipalities ... 3		(*a*) Municipalities ... 2	
(*b*) Associations of landholders 1		(*b*) District and Local Boards 5		(*b*) Local Boards ... 2	
(*c*) Associations of merchants 1		(*c*) The landholders ... 2		(*c*) The landholders ... 2	
(*d*) Commissioners of Port of Chittagong ... 1		(*d*) Muhammadans ... 4		(*d*) Muhammadans ... 2	
		(*e*) The tea interest ... 2		(*e*) The tea-planting community 3	
		(*f*) The jute interest 1		—	11
—	6	(*g*) The Commissioners of the Port of Chittagong 1			
		—	18		
TOTAL ...	15	TOTAL ...	42	TOTAL ...	25
Or, including the Lieutenant-Governor	16	Or, including the Lieutenant-Governor	43	Or, including the Chief Commissioner	26

CONSTITUTION OF COUNCILS UNDER THE REGULATIONS OF 1912.

BIHAR AND ORISSA.

Ex-officio.

Members of Executive Council			3

Additional.

Nominated members, not more than 15 to be officials			19
Nominated expert, who may be either an official or a non-official			1
Elected members, elected by—			
(*a*) Municipalities	5		
(*b*) District Boards	5		
(*c*) The landholders	5		
(*d*) Muhammadans	4		
(*e*) The planting community	1		
(*f*) The mining community	1		
		—	21
		TOTAL ...	44
Or, including the Lieutenant-Governor...			45

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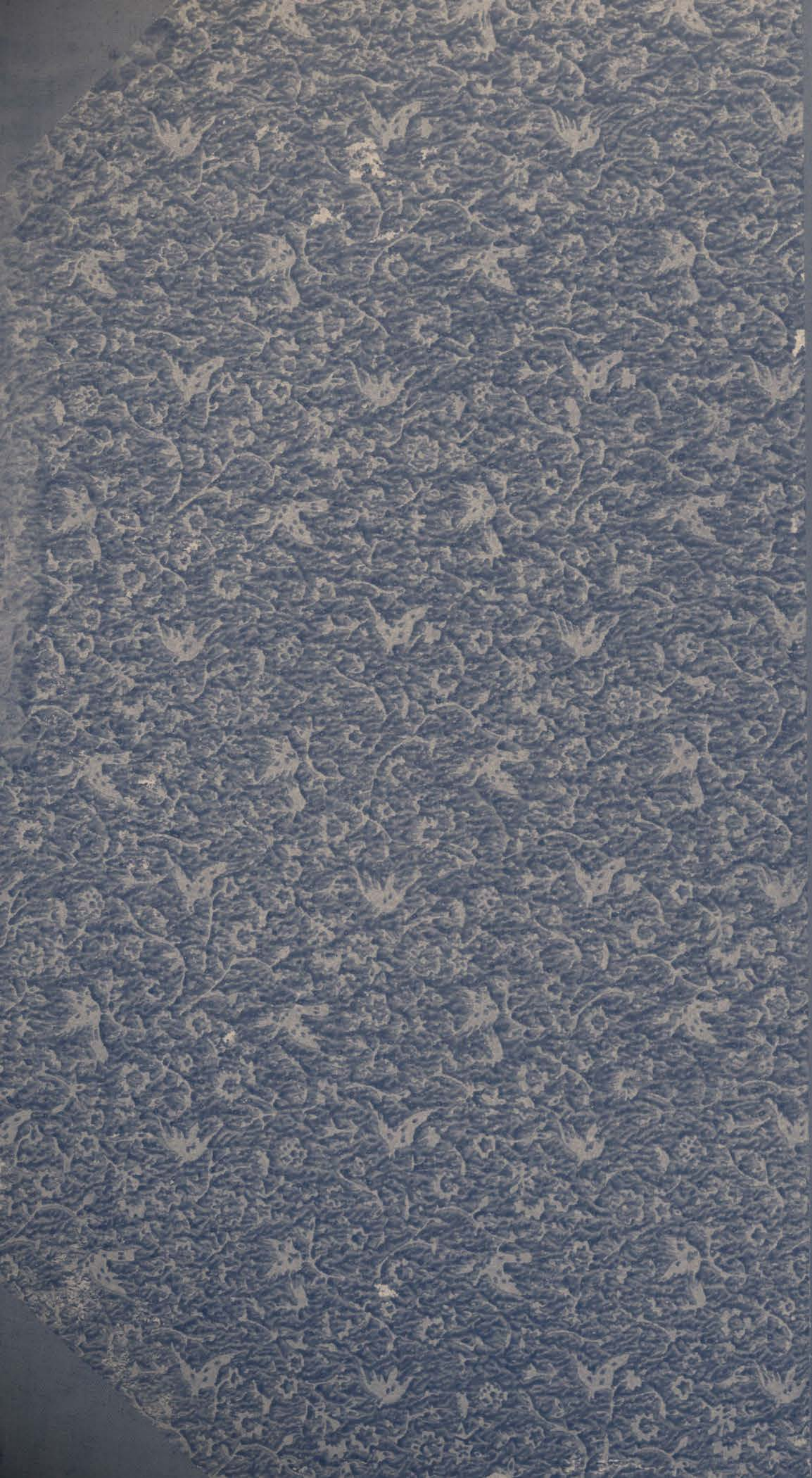
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